

Certified as a Regulation (or
as Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schouland
(Signature)

Director

(Title)

1-30-53

(Date)

OFFICES

LOS ANGELES OFFICE
CHICAGO 8411
REROR BUILDING
SOUTH SPRING STREET
12
SACRAMENTO OFFICE
GILBERT 2-4711
924 NINTH STREET
14
SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
14

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

January 30, 1953

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:

616 K Street
Sacramento 14

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 486 (Fiscal)

These regulations were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Section 116 on January 15, 1953, and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

C. I. Schottland
Charles I. Schottland
Director

Attachments

FILED

in the Office of the Secretary of State
of the State of California

JAN 30 1953

At 2:50 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By *Amey*
Assistant Secretary of State

5. With the Administrative Expenditure claim for March 1953 each county shall complete and send in duplicate to the State Department of Social Welfare, 616 K Street, Sacramento, attention Bureau of County Claims, special Form DFA 227, Salary and Wage Allocation Report for the Study Month of March 1953. (See sample attached.) This report is merely a money distribution of salaries and wages to program based on the results of time recording for the month as reflected on the individual Special Monthly Time Records (DFA 43A).
6. Administrative expenditure claims for March 1953 and subsequent months shall continue to be allocated on the basis of the case load weights now assigned until notified by the State Department of Social Welfare of revisions in those weights. For the March 1953 claim, it is only necessary to use the total time for the categorical aids as reported on line ABC of the special Form DFA 43A for March (4th line of that form). Although joint charges for the month involving Aged, Blind, or Children are to be segregated as provided in Items 3 and 4 for reporting on Form DFA 227, they are to be treated on the claim worksheet as the ABC group. Thus in all respects preparation of the administrative expenditure claim for March 1953 follows the rules (Sec. F-890) regularly in effect.
7. A sufficient supply of Form DFA 43A, Special County Employees Monthly Time Record, will be shipped by the State Department of Social Welfare to each county well in advance of March 1, 1953, for distribution to county welfare department employees.
8. Ten copies of Form DFA 227, Salary and Wage Allocation Report for the Study Month of March 1953, will be sent to each county with a State Department of Social Welfare circular letter in late February. Accompanying this circular will also be samples of Forms DFA 42, DFA 43A, DFA 227 and a sample administrative expenditure claim.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Attachments

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

FILED
in the Office of the Secretary of State
of the State of California

February 2, 1953

JAN 30 1953

DEPARTMENT BULLETIN NO. 486 (FISCAL)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DIRECTORS
COUNTY AUDITORS

At 2:50 o'clock P.M.
FRANK M. JORDAN, Secretary of State
By *[Signature]*
Assistant Secretary of State

Subject: Special Time Study for March 1953

Section F-820 of the Manual of Fiscal Policies and Procedures specifies the procedures and the monthly and daily time record forms that shall be used normally in recording time under the gross man hours method of cost allocation. Section F-890, A, 2, e, states in part that "At periodic intervals the State Department of Social Welfare will request individual counties to conduct and report upon time studies of programs in the categorical aid group for a particular month." The program weights now in use for the categorical aids were determined by the State Department of Social Welfare from cost allocation data accumulated over the period March 1951 through February 1952. Since by agreement with the Federal Security Agency such studies shall be made at intervals of approximately one year, the State Department of Social Welfare designates March 1953 as a special time study month. The following forms and procedures shall apply:

1. During March 1953 each county welfare department shall, in addition to the segregation normally required, (Sec. F-820), segregate time between the three categorical aids; Aged, Blind and Children. Within each of these three main programs it is not necessary to segregate time between OAS eligible and OAS ineligible, between ANB and APSB or between ANC eligible and ANC ineligible (BH&I Cases).
2. During March 1953 a special County Employee's Monthly Time Record shall be used. (See attached sample of Form DFA 43A). The regular Form DFA 42, Employees Individual Daily Time Record, (sample attached) shall be used, except that codes for Aged (A), Blind (B) and Children (C) shall be used to indicate the breakdown between these three main programs.
3. Time spent on General Relief, Child Welfare Services, Boarding Home Licensing and Inspection, Adoptions, Other Welfare Programs and Extraneous shall be recorded as normally, except that joint charges involving these programs and any of the three main categorical aids (Aged, Blind and Children) shall be indicated by program rather than merely by the ABC group. Thus joint charges of OAS-GR or ANC-GR shall be indicated as such rather than ABC-GR as normally.
4. Joint charges involving Aged, Blind (including APSB) or Children only, not normally required, shall be segregated during the study month. Thus a joint charge of Aged and Blind, or Aged and Children or Aged, Blind and Children shall be treated as such during March on Forms DFA 42, DFA 43A and DFA 227.

COUNTY _____

Name _____ Division _____

Title _____ Date _____ 19__

[illegible]

1. Use the following abbreviations: ABC (Categorical Aid Group), CWS (Child Welfare Services), BH (Boarding Home Licensing and Inspection), AD (Agency and Independent Adoptions), GR (County General Relief), OWP (Other County Welfare Programs), JT (Show Programs) (Combination of more than one but not All Programs), OV (Overall—All Programs), EX (Extraneous), TR (Travel Time), VAC (Vacation), SL (Sick Leave), OTO (Other Time Off), ONA (Other Non-Allocable).
2. Record Time to nearest five minutes.

COUNTY EMPLOYEE'S SPECIAL MONTHLY TIME RECORD
FOR USE IN TIME STUDY MONTH ONLY.

County of: _____

For The Month of March 1953

Name:	Title:																															Salary:											Total Hours	Per Cent	Salary Cost to Program
Allocable Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31														
(A) O.A.S. Eligible and Ineligible																																													
(B) A.N.B. and A.P.S.B.																																													
(C) A.N.C. Eligible and Ineligible																																													
(ABC) Categorical Aid Group (Items A thru C)																																													
(D) Child Welfare Services																																													
(E) Boarding Home Lic. and Insp.																																													
(F) Agency and Independent Adoptions																																													
(G) County General Relief																																													
(H) Other County Welfare Programs																																													
(J) Joint Charges ()																																													
(K) Overall Charges																																													
(L) Total Allocable Time (Items ABC thru K)																																													
(M) Extraneous																																													

COMPLETION OF ITEMS BELOW THIS LINE IS OPTIONAL IF OTHER RECORDS OF SICK LEAVE AND VACATION ARE MAINTAINED

(N) Non-Allocable Time																																	
(O) Vacation (Days)																																	
(P) Sick Leave (Days)																																	
(Q) Other Time Off (Days)																																	
(R) Total Time (Items L thru Q)																																	

* Explanation of Item Q:

CERTIFICATION OF EMPLOYEE I HEREBY CERTIFY that this a true and accurate report of my time SIGNATURE OF EMPLOYEE _____ DATE OF SIGNATURE _____ 19 _____	CERTIFICATION OF SUPERVISOR I HEREBY CERTIFY the employee's daily time records have been examined and that, to the best of my knowledge and belief this time record is true and correct. SIGNATURE OF SUPERVISOR _____ DATE OF SIGNATURE _____ 19 _____	VACATION Brought Forward _____ Days Earned during month _____ Days Taken during month _____ Days Balance carried forward to next month _____ Days	SICK LEAVE Brought Forward _____ Days Earned during month _____ Days Taken during month _____ Days Balance carried forward to next month _____ Days
---	---	--	--

SALARY AND WAGE ALLOCATION REPORT
FOR THE STUDY MONTH OF MARCH 1953

County of _____

Page _____ of _____ pages

	CATEGORICAL AID GROUP			A-B-C	D	E	F	G	H	J	K	L
	(A) AGED	(B) BLIND	(C) CHILDREN	Categorical Aid Group (Total)	Child Welfare Services	Boarding Home Licensing And Inspection	Agency And Independent Adoptions	General Relief	Other Welfare Programs	Joint Expenditures	Overall Expenditures	Total Allocable Expenditures Cols. A - K
Total Amount of Direct Charges												
Allocation of Joint Charges: (Show Programs)												
1. _____												
2. _____												
3. _____												
4. _____												
5. _____												
6. _____												
7. _____												
8. _____												
9. _____												
10. _____												
Total Direct and Joint Charges												
Allocation of Overall Charges												
Total Direct, Joint and Overall Charges												
Case Loads												
Cost Per Case (Total Direct, Joint and Overall ÷ Case Load)												
For State Use Only												

Certified as a Regulation (or
as Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schottland
(Signature)

Director
(Title)

1-30-53
(Date)

AREA OFFICES

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
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GILBERT 2-4711
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948 MARKET STREET
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Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

January 30, 1953

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
14

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:

616 K Street
Sacramento 14

Dear Mr. Jordan:

Attached are three copies of Secs. V-660 and V-700 of the Manual of Boarding Home for Aged and Children, regulations issued by the State Department of Social Welfare with Boarding Home Manual Letter No. 30.

These regulations were adopted by the State Social Welfare Board on January 15, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Section 103, and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

C. I. Schottland
Charles I. Schottland
Director

Attachments

FILED

In the Office of the Secretary of State
of the State of California

JAN 30 1953

At 2:50 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By *Chm. J. Smith*
Assistant Secretary of State

V-700

REVOCATION OF LICENSE

V-700

Revocation is the voiding of a current license for cause after a hearing before the SDSW or any approved and accredited inspection service to which the right to revoke licenses has been delegated.

See Chapter X, Revocations and Appeals.

V-800

OPERATION WITHOUT LICENSE

V-800

Operation of a boarding home for aged or children without a license constitutes a violation of the law. Under such circumstances and except in case of denial or revocation of license, the provisions of the law shall be called to the attention of the violator, and opportunity shall be given to file an application. Continued operation and continued refusal to file an application shall be followed by referral of the situation to the district attorney for action.

V-650 CHANGE OF OPERATOR

V-650

If the applicant or licensee sells, leases or rents the boarding home to another operator, the application or license is automatically canceled. (Statistically this action is recorded either as "Application withdrawn" or "Current license discontinued.")

The applicant or licensee shall be notified (if whereabouts known) that the application or license is canceled, and, if the home is licensed, the license should be returned. (Inspection agency recommends to the SDSW that the application or license be canceled and reports the reason therefor.)

The new operator shall be notified of the necessity to file application for license.

A new investigation and new license are necessary for the new operator of the home.

V-660 CHANGE IN CLASSIFICATION

V-660

After license has been issued, there shall be no change in service (e.g., day care to full time care) unless the license is returned, and a new license issued. A new application form is not necessary; the written or verbal request for change in classification will serve in lieu of the completion of another application form. The new license, in the discretion of the licensing agency, may be issued for either the remainder of the original licensing period or the ensuing twelve-month period.

FILED

in the Office of the Secretary of State
of the State of California

JAN 30 1953

At 257 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By [Signature]
Assistant Secretary of State

Certified as a Regulation (or
as Regulations) of the

Dept. of Social Welfare
(Name of State Agency)

Charles J. Schaubert
(Signature)

Director
(Title)

2-27-53
(Date)

AREA OFFICES

LOS ANGELES OFFICE
1 MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SACRAMENTO OFFICE
GILBERT 2-4711
924 NINTH STREET
14

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

February 27, 1953

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
14

**ENDORSED
FILED**
In the Office of the Secretary of State
of the State of California
FEB 27 1953

At _____ o'clock _____ M.
FRANK M. JORDAN, Secretary of State
By **CHAS. J. HAGERTY**
Assistant Secretary of State

ADDRESS REPLY TO:

616 K Street
Sacramento 14

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations which will be issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 487 (ANC)
DEPARTMENT BULLETIN NO. 488 (MERIT SYSTEM)

These regulations were adopted by the State Social Welfare Board on February 27, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103, 103.5, 114(b), 115, 116, 119.5, and 1560 and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

Charles I. Schottland
Charles I. Schottland
Director

Attachments

FILED
in the Office of the Secretary of State
of the State of California

FEB 27 1953

At 3:05 o'clock P M.

FRANK M. JORDAN, Secretary of State
By *Chas. J. Hagerty*
Assistant Secretary of State

Certified as a Regulation (or
as Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Charles J. LeBaron
(Signature)

Director
(Title)

2-27-53
(Date)

CHARLES I. SCHOTTLAND
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K Street
Sacramento 14

March 2, 1953

DEPARTMENT BULLETIN NO. 487 (ANC)

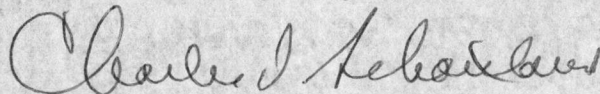
TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Correction of Item 16,
Form CA 251 (ANC Permanent
Sample Schedule)

Codes 1 and 6 under Item 16 (Duration of Parent's Absence) on
Form CA 251 (ANC Permanent Sample Schedule) which read " 3 months less than
6" are to be regarded as "less than 6 months."

An appropriate correction will be made by the State Department of
Social Welfare on the next printing of Form CA 251. Present supplies of the
form will continue to be used until exhausted.

Very sincerely yours,



Charles I. Schottland
Director

CHARLES I. SCHOTTLAND
Director

W410, 103, 103.5, 114(2),
119.5
EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K Street
Sacramento 14

March 4, 1953

DEPARTMENT BULLETIN NO. 488 (Merit System)

TO: COUNTY WELFARE DIRECTORS
(Excluding Alameda, Contra Costa,
Fresno, Los Angeles, San Bernardino,
Sacramento, San Diego, San Francisco,
San Mateo, Santa Clara, and Ventura
counties.)

**ENDORSED
FILED**
In the Office of the Secretary of State
of the State of California
FEB 27 1953
At _____ 8 0186K _____ M.
FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY
Assistant Secretary of State

Subject: New Class Specification
Social Worker III

Effective April 1, 1953, a new class specification, Social Worker III, will be added to the Merit System Classification Plan. A copy of this class specification is attached. The salary schedule approved for this class to be incorporated in Manual Section 071-05 is:

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
213	225	238	252	266	281	297	314	332	351	371

The Social Worker III class is the highest class in the social worker series. Non-competitive promotions can be made to this new class from Social Worker II as provided under Manual Section 075-35.

The Personnel Division will give whatever assistance is needed to counties which contemplate reallocating any existing personnel to the new class or prior to the establishment of a new position in the class.

Very sincerely yours,

Charles I. Schottland
Charles I. Schottland
Director

FILED
in the Office of the Secretary of State
of the State of California

FEB 27 1953

Attachment

3:05 P
FRANK M. JORDAN, Secretary of State
By *Chas. J. Hagerty*
Assistant Secretary of State

Alternate Education and Experience Requirement:

- (1) One year of full-time paid employment (within the last ten years) as a social worker may be substituted for one year of college on a year for year basis to four years.
- (2) The successful completion of one year of graduate study at a recognized school of social work may be substituted for one year of the required experience.

Knowledge:

- (1) Thorough knowledge of the provisions of the California Welfare and Institutions Code pertaining to Old Age Security, Aid to the Blind, and Aid to Needy Children.
- (2) Thorough knowledge of the principles and techniques of interviewing and recording in social work.
- (3) Wide knowledge of the titles of the Social Security Act pertaining to Old Age Assistance, Aid to the Blind, and Aid to Dependent Children.
- (4) Wide knowledge of the problems which call for the use of public and private community resources.
- (5) General knowledge of the principles of case supervision.
- (6) General knowledge of the principal sources of information important in completing investigations of applicants or recipients for public assistance.
- (7) General knowledge of the programs and their supporting legislation relating to California State and local welfare and national programs relating to public assistance operative in California.
- (8) General knowledge of the functions of public welfare agencies.
- (9) General knowledge of the principles of supervision.

Ability:

- (1) To plan, assign, and supervise the work of others.
- (2) To determine eligibility for public assistance on the basis of laws, rules, and regulations.
- (3) To interpret to the applicant, recipient, or others the public assistance programs as set forth in the laws, rules, and regulations.

4/1/53

SOCIAL WORKER III

SOCIAL WORKER III

Definition:

Under general supervision, to perform difficult social work, or to be responsible for a small unit or small branch or district office of the welfare department; and to do other work as required.

Job Characteristics:

Employees in this class are given assignments which include either one or a combination of the following types of work: (1) Difficult social work; (2) Case reading; (3) Social research projects; (4) Review and evaluation of work practices of the agency.

Other employees in this class are responsible for the operation of a small unit or small branch or district office. In such instances, the employee usually supervises the work of one to three social workers and also carries a caseload.

Typical Tasks:

Carries a selected case load wherever need for specialized social work service predominates; takes applications for assistance and welfare services and serves as special intake worker in difficult cases; determines amount of grant and recommends payment of assistance; interprets policies, rules, and regulations to applicants, recipients, and others; reviews cases, evaluates the effectiveness of policies, procedures, and recommends changes. Assists applicants and recipients in utilizing available resources for individual needs; supervises the work of a small unit or small branch or district office; evaluates the performance of employees and takes or recommends appropriate action; prepares and maintains case records; dictates case findings and correspondence; and prepares written reports.

Minimum Qualifications:

Education: Equivalent to graduation from college.

AND

Experience: Two years of full-time paid employment (within the last ten years) as a social worker in a private or public welfare agency involving the determination of eligibility for aid or services.

OR

SOCIAL WORKER III

Ability: (Continued)

- (4) To present oral and written reports concisely and clearly.
- (5) To get along well with others.
- (6) To interview effectively.
- (7) To analyze situations accurately and to adopt an effective course of action.

Personal Characteristics:

Initiative, tact, perseverance, good judgment, dependability, moral and financial integrity, demonstrated ability to accept increasing responsibility, sympathy with the public assistance program of the Social Security Act, neat personal appearance, good health, and freedom from disabling defects.

4/1/53

SOCIAL WORKER III

Certified as a Regulation (or
as Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Charles J. Shearman
(Signature)

Director
(Title)

2-27-53
(Date)

AREA OFFICES

LOS ANGELES OFFICE
MICHIGAN 8411
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145 SOUTH SPRING STREET
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Earl Warren
Governor

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
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STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

February 27, 1953

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:

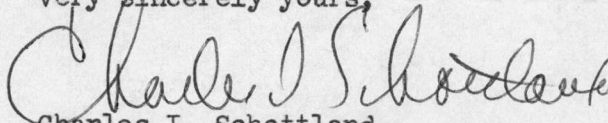
616 K Street
Sacramento 14

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare with Boarding Home Manual Letter No. 31.

These regulations were adopted by the State Social Welfare Board on February 27, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Section 103, and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,


Charles I. Schottland
Director

Attachments

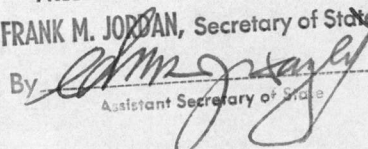
FILED

in the Office of the Secretary of State
of the State of California

FEB 27 1953

At 3:05 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By 
Assistant Secretary of State

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
March 3, 1953

BOARDING HOME MANUAL LETTER NO. 31

The attached revisions numbered 132 and 133 are to be entered in your copy of the Manual Boarding Homes for Aged and Children and the revision numbers canceled on the inside of the manual cover.

These revisions were adopted by the State Social Welfare Board on February 27, 1953, to be effective April 1, 1953.

Sec. VIII-100 has been revised to include Form BHC 41.1, Monthly Statistical Report on Foster Homes Approved for Exclusive Use by Private Child Placing Agencies, in the list of required statistical reports.

Secs. XIII-330 and XIII-340, which related to the statistical report on Form BHC 41.1, have been deleted since instructions for this report are now contained in the Manual of Statistical Procedures.

Remove the sample of Form BHC 41.1 following Sec. XIII-500.

CHAPTER VIII

STATISTICAL PROCEDURES

VIII-100 SUBMISSION OF STATISTICAL REPORTS

VIII-100

Accredited licensing agencies shall submit the following monthly statistical reports on boarding home licensing activities to SDSW:

Monthly Statistical Reports on Licensing of Boarding Homes for Aged, Form BHA-41

Monthly Statistical Reports on Licensing of Boarding Homes for Children, Form BHC-41

County welfare departments supervising children under foster care and private child placing agencies licensed by the SDSW (except agencies which are exclusively adoption agencies) shall submit the Monthly Statistical Report on Children Under Foster Care, Form CPA-41.

Agencies licensed by the SDSW to approve homes for their exclusive use shall submit Form BHC 41.1, Monthly Statistical Report on Foster Homes Approved for Exclusive Use by Private Child Placing Agencies.

For instructions, see Chapter III of the Manual of Statistical Procedures.

XIII-450 CHANGE OF STATUS OF BOARDING HOME

XIII-450

A home licensed by a public agency may become a home approved for the exclusive use of the private child placing agency by request of the foster parents and approval of the licensed child placing agency. Immediate notification of the desired change in status shall be made by the private child placing agency to the public licensing agency which shall request the return of the license held by the foster parents. Such a licensed home should be disposed of statistically by the licensing agency as a current license discontinued during the month, and would become statistically a home approved during the month by the licensed child placing agency.

A home approved for exclusive use of a private child placing agency may become a licensed home if either the foster parents or the licensed agency wishes to terminate exclusive use of the home, and provided that the accredited public agency approves the home for license. Immediate notification of the desired change in status shall be made by the private child placing agency to the public licensing agency (See Sec. XIII-140, Notification to Accredited Public Agency), which shall furnish an application for license and process the application as rapidly as administratively possible. Such a home should be disposed of statistically by the private child placing agency as a home discontinued during the month, and would become statistically a new application received by the accredited public agency.

XIII-500 FORMS AND MATERIALS AVAILABLE FROM THE SDSW

XIII-500

See Form Index, Appendix XIII.

The following forms and materials will be supplied to private agencies, upon request and without charge, by the SDSW, 616 K Street, Sacramento:

- BH 23.6 - Request for Fire Safety Report
- BHC 51 - Medical Consent
- BHC 30.2 - Certificate of Approval of Foster Home
- BHC 30.3 - Notification to Accredited Agency of Action Taken Regarding Homes Under Section 1622.5, W & I Code
- BHC 41.1 - Monthly Statistical Report of Foster Homes Approved for Exclusive Use by Private Child Placing Agency
- Digest of Welfare and Institutions Code and Standards for Foster Home Care of Children (See Appendix VII-B)
- Day Care Food Standards (See Appendix VII-C)
- Food for Young Children (See Appendix VII-D)
- Food Pattern for the Adolescent (See Appendix VII-E)
- Instructions for Home Pasteurization of Milk (See Appendix VII-G)

XIII-310 (Continued)

XIII-310

2. Periodic evaluations
3. Annual fire clearances
4. Homes in use
5. Homes studied and available for use

XIII-320 STATISTICAL FILE

XIII-320

An appropriate card file is recommended for the purpose of compiling the necessary monthly statistical report.

XIII-400 USE OF LICENSED HOMES AND USE OF HOMES APPROVED FOR EXCLUSIVE USE

XIII-400

A private child placing agency may use a licensed home, and notification of such use shall be made to the public licensing agency.

A home approved for the exclusive use of a licensed child placing agency shall not be used by another agency and shall not accept children for care directly from parents, guardians, or other individuals, unless the home becomes a licensed home.

AREA OFFICES

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EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

February 27, 1953

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
14

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:

616 K Street
Sacramento 14

Dear Mr. Jordan:

Attached are three copies of the regulations which will be issued by the State Department of Social Welfare with Aid to the Blind Manual Letter No. 18.

These regulations were adopted by the State Social Welfare Board on February 27, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103, 103.6, and 114(b), and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

Charles I. Schottland
Charles I. Schottland
Director

Attachments

FILED

in the Office of the Secretary of State
of the State of California

FEB 27 1953

At 3:05 P. M.

FRANK M. JORDAN, Secretary of State

By

Edna J. Taylor
Assistant Secretary of State

Certified as a Regulation (or
as Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Charles J. Schaeffer

(Signature)

Director

(Title)

2-27-53

(Date)

CHARLES I. SCHOTTLAND
Director

Earl Warren
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K Street
Sacramento 14

March 11, 1953

AID TO THE BLIND MANUAL LETTER NO. 18

The attached revisions are to be entered in your copy of the Manual of Policies and Procedures - Aid to the Blind and revision numbers 165 through 167 canceled on the inside of the manual cover.

Revision to Sec. B-538 were adopted by the State Social Welfare Board on February 27, 1953, to be effective April 1, 1953.

Sec. B-538 is being revised to add a cross reference to point out the exception to the housing allowance for an employed person, in accord with the exception allowed blind persons.

Sec. B-642 is revised to delete an irrelevant sentence from Example 2.

B-538 (Continued)

B-538

If the recipient has community income from current earnings, he may allocate to his spouse a portion of such income. The amount allocated shall not exceed one-half of the income, neither shall it exceed the amount of any current unmet need of the spouse, as determined by investigation in each individual case, nor shall it exceed the amount of exempt income permitted during the specified earning period. No allocation of such income may be made for the support of minor children. No allocation shall be made to the spouse until the recipient has had his full maximum of exempt income, in accordance with Sec. B-540, and B-542, where applicable. In APSB, the amount allocated to the support of the spouse shall not exceed \$1,000 in a given yearly period. (See Sec. B-542)

Example 1: An APSB recipient, having an ineligible spouse without other means of support, began his annual earning period on January 1. By May 31 the recipient has earned \$1,000, all of which is exempt income. It is determined that \$1,000 is necessary for the spouse's support during the annual period. The recipient earns an additional \$1,000 by October 31, which sum he allocates to meet his spouse's needs. In each of the remaining two months the recipient earns \$200, half of which is exempt. Hence, aid is discontinued (half of \$200 is \$100, exceeding the amount of the grant). On January 1, the former recipient reapplies. It is determined that during the preceding year he earned a regular monthly net income in excess of \$173.33, and this is expected to continue. His reapplication is denied since he is no longer considered to be in need. (See Sec. B-542)

Example 2: An ANB recipient, having a spouse receiving OAS, has earned income of \$125 a month. The OAS spouse has a continuing unmet special need for medical treatment of \$15 a month. The first \$50 a month of the ANB recipient's income is exempt. He may allocate \$15 a month to his OAS spouse to meet her special need. The balance, \$60, is income to the ANB recipient which would be taken into consideration in determining his grant.

If an ineligible spouse has community income from civil or military pensions, he may retain an amount of such community income sufficient to meet his needs and those of his dependent children. His needs shall be determined in accord with the ANB standard for basic and special needs. After allowance is made for the needs of the ineligible spouse, the balance shall be allocated to the recipient. However, if the needs of the ineligible spouse amount to less than one-half of the net income, one-half of such income shall be allocated to the recipient.

If an ineligible spouse has community income from current earnings, or from regular payments received because of industrial or unemployment compensation laws, if such payments are predicated on the fact that the individual is still in the labor market (such as unemployment insurance payments, disability insurance payments, industrial accident compensation, etc.), he may retain an amount of such community income sufficient for the support of himself in accordance with the following "Schedule of Allowances for an Employed Person."

(Section Continued on Next Page)

B-538 (Continued)

B-538

SCHEDULE OF ALLOWANCES FOR AN EMPLOYED PERSON

<u>Items</u>	<u>Allowance</u>
Food -	\$31.75
Meals away from home	"as paid"
Clothing -	19.95
Housing - Share, "as paid," not to exceed	32.50 (For exception see Sec. B-612, Special Needs - Definition and Determination, ANB Only)
Household Operations -	1.00
Utilities - Share, "as paid," not to exceed	17.80
Incidentals & Personals -	8.80
Transportation -	6.80
Drugs, Vitamins, Medicines, Clinic Attendance	6.00
Recreation	6.50
Insurance & Emergencies	4.35
<u>Additional Items</u>	
Uniform and Work Clothes	"as paid"
Extra Laundry	"as paid"
Automobile and Other Additional Transportation Costs, if Related to Necessary Transportation for Employment	"as paid"
Union and Professional Dues and Expenses	"as paid"
Telephone	"as paid"
Other Unusual Medical Needs	"as paid"
Debts - Allowance shall be made for the payment of debts incurred by the ineli- gible spouse for the necessities of life. The validity of such debts shall be determined by the county on the basis of a county-wide policy in this regard.	"as paid"

If there are minor children dependent upon the earnings of the ineligible spouse, an additional amount shall be allowed to meet their needs on a realistic basis.

(Section Continued on Next Page)

B-642 (Continued)

B-642

Example 1: A recipient whose APSB grant began in April has the following monthly income: earnings, \$75; value of use and occupancy of own home, \$7; total monthly income, \$82, or total income during the 12-month earning period, \$984. The recipient receives aid in the amount of \$90 for the 12 months because during the 12-month period from April 1 to March 31 his total exempt income did not exceed \$1000.

Example 2: A single recipient whose APSB grant began in April has the following monthly income: earnings, \$95; value of use and occupancy of own home, \$5; net income from rental of real property, \$25; value of foodstuffs produced by recipient, \$5; total monthly income, \$130 or total income from April through November 30 (8 months) \$1040. Since this was \$40 in excess of \$1000, one-half of this excess or \$20 should have been deducted from the November grant. This is adjustable in the December grant. In December, recipient's income is known in advance to be \$130, of which \$65 is deductible. This makes a total adjustment of \$85 for December, resulting in a decrease of the grant to \$5 for that month. In January recipient will be eligible for an increase to \$25, and if his income continues to amount to \$130 monthly, he will be entitled to a grant of \$25 a month until March 31. This is obtained by deducting one-half of \$130 or \$65 from the maximum grant of \$90. On the following April, his anniversary date, his income remaining the same, he would again be eligible to receive aid in the amount of \$90 monthly until the maximum allowable income has again been reached.

Example 3: A recipient, with an ineligible spouse, whose only exempt income is his earnings of \$150 per month and the value of use and occupancy of his own home which is \$5 (total monthly income, \$155) begins in January to receive aid in the amount of \$90 per month. In July his total income for the first seven months amounts to \$1085. During this month his earnings have exceeded the \$1000 limitation. However, since he has a spouse whose income is insufficient to meet her needs, he is permitted to allocate up to \$1000 of his income during the year toward her support. Therefore, his grant will continue in the amount of \$90 for the balance of the 12-month period, assuming his income from exempt sources remains the same, and his wife continues to be in need.

(W&IC 3460, 3472)

B-645 CHANGE IN ELIGIBILITY STATUS DURING MONTH

B-645

If a recipient is eligible on the first day of the month, but eligibility status changes at some time during that month for any reason, no overpayment occurs if aid is discontinued at the end of that particular month.

Example 1: A recipient received \$85 on December 1. On December 5 he received \$400 cash through inheritance which caused his personal property holdings to exceed \$1200. Aid is discontinued December 31. No repayment is due.

If aid is discontinued effective with the last day of the month following that in which ineligibility occurred, overpayment began in the month in which the income was received (and/or change in need occurred) even though the recipient was eligible on the first day of that month.

Example 2: An ANB recipient having no income and no need in excess of \$90 received a \$90 grant on October 1. On October 17 he began receiving a regular monthly non-exempt income of \$95. He did not report the income until November 13. Meanwhile he received and cashed his November warrant. Overpayment occurred in both October and November (because the income received in each of those months exceeded total need).

Under all other circumstances ineligibility does not begin until the first of the month following that in which the changed circumstances occurred.

Example 3: An ANB recipient owning no personal property on October 1 received a \$1500 inheritance on October 17. He did not report the inheritance until November 13. Meanwhile he had received and cashed his November warrant. Overpayment occurred in November only (because he was eligible when the October aid was "paid to him," but was not eligible when the November aid was "paid to him.")

(W&IC 3075, 3084, 3460, 3472)

AREA OFFICES

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SACRAMENTO OFFICE
GILBERT 2-4711
924 NINTH STREET
14

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
14

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

March 31, 1953

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:
616 K Street
Sacramento 14

Dear Mr. Jordan:

Attached are three copies of regulations which will be issued by the State Department of Social Welfare with Aid to the Blind Manual Letter No. 19.

These regulations were adopted by the State Social Welfare Board on March 27, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103, 103.6, and 114(b), and are being filed in accordance with Section 11380 of the Government Code.

These regulations are effective May 1, 1953, and are contained in the following sections:

B-214	B-542
B-249	B-630
B-250	B-739
B-259	B-799

Very sincerely yours,

C. I. Schottland
Charles I. Schottland
Director

Attachments

FILED

in the Office of the Secretary of State
of the State of California

MAR 30 1953

At 3 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By

Chas. I. Schottland
Assistant Secretary of State

Certified as a Regulation (or
as Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schouland
(Signature)

Director
(Title)

3-31-53
(Date)

The purpose of the APSB law is to provide a plan whereby blind persons may be encouraged to take advantage of and to enlarge their economic opportunities to the end that they may render themselves independent of public assistance and become entirely self-supporting. It is recognized that resources and income beyond the necessities of bare subsistence are required to achieve this objective. The law encourages the blind in their efforts to become self-supporting by allowing the retention of necessary income (see Sec. B-542, Exempt Income in APSB) and resources (see Sec. B-442, Personal Property Eligibility Requirements) by those showing a reasonable probability of being able and willing to undertake the acquisition of resources and income necessary for self-support.

The following two criteria should be applied in determining eligibility of an applicant or recipient:

1. A reasonably adequate plan which may lead to self-support.
2. A sincere and sustained effort to further that plan.

A. Evaluating the Adequacy of a Plan

There are certain factors which may be important to the success of a plan for self-support and which should be taken into consideration in determining its adequacy. These factors may include supply and demand, margin of profit, competition, development of a new product, new markets, the length of time necessary to achieve a going enterprise, good will, location, or the attitude of the blind person.

FILED

in the Office of the Secretary of State
of the State of California

MAR 30 1953

At _____ o'clock _____ M.

FRANK M. JORDAN, Secretary of State

By

Charles H. Gentry
Assistant Secretary of State

The county shall discuss with the individual his plan for achieving self-support. The plan should be evaluated with his participation, giving consideration to his ability or aptitude for the chosen plan and its economic possibilities. Such an evaluation may involve consideration of the recipient's previous experience with plans of support (e.g., frequency of change and reasons therefor), the measure of success which has been achieved in the plan, the amount of time which has been allowed in working out the plan, the frequency with which the recipient and the worker have re-evaluated the plan and the progress made, the part agencies have played in the recipient's effort toward self-support, and whether or not a new plan should be considered.

Evaluation of a plan for self-support is often anticipatory in nature, particularly if the individual is embarking on a plan, the adequacy of which can only become apparent with the passage of time. However, re-evaluation of a current plan for self-support is usually slanted toward its success as shown by progress made toward achieving self-support. Experience has shown that even though originally a plan may have been subject to some question, the encouragement given the blind person often leads him to more satisfactory results than originally appeared possible. A recipient may wish to change his plan for self-support at any time. Therefore, when his effort seems to be ineffectual, or the plan inadequate, the worker can render a genuine service by re-exploring the entire situation with him. It frequently happens that the recipient himself, after trying one plan for self-support comes to the conclusion that another plan would be better for him, just as is true of sighted persons seeking to earn their living.

The amount of money earned by an individual is only one factor in determining adequacy of a plan. It is the probability of future earnings sufficient for self-support which is a more final determinant. When the amount of earnings inherent in a plan appears unlikely to be developed eventually to the level of self-support, such a plan would be open to question as to its adequacy. It is important to consider the length of time a plan has been in effect. The longer a plan has been going, the more carefully its adequacy should be evaluated, since APSB is primarily a rehabilitative program and is not designed to supplement indefinitely incomes of blind persons. However, a plan which requires a long period of preparation and training may be acceptable even though it may not produce immediate income. For example, university training is specifically encouraged by reduced residence requirements for persons otherwise eligible for Aid to Partially Self-supporting Blind Residents.

The county shall give any service possible to the individual in the development of his plan for self-support. This includes making available to him any community or state-wide resources for training or placement service, as well as helping him to redirect his work habits and skills when the current plan, in spite of a sincere and sustained effort, proves itself inadequate.

progress achieved. The evaluation will vary with the type of plan. For example, if the individual is employed, the number of hours worked and the wage received shall be determined. If he is in business for himself or is practicing a profession, the county may make a periodic examination of the books and also determine the number of hours devoted to the trade or profession. If the individual is in school, i.e., trade school, university, or other institution of higher learning, the county may ascertain his course of study and the time he spends in preparation.

The conditions which may affect the performance of a blind person in his particular work setting should be weighed before making a final evaluation of his sincerity of effort toward self-support. Some of these conditions are:

(a)

1. Attendance record
2. Number of hours actually worked over a period of time on a daily or weekly basis
3. Actual take-home pay for wages received
4. Piece-rate pay for the particular activity
5. Average production in the particular job or enterprise, production of the recipient, and production required to achieve self-support
6. Continuity of production and availability of work
7. Transportation problems
8. Medical problems
9. Family problems
10. Work attitudes

(W&IC 3400, 3401, 3451, 3460)

~~(a) Amplification~~

Attendance at the University of California, other institutions of higher learning, Orientation Center for the Blind, trade or vocational school, or training under Vocational Rehabilitation is in itself an adequate plan for self-support. There may be, however, further evaluation by the county to determine a sincere and sustained effort.

Plans for self-support are numerous and varied, and indicative of the ability of blind persons to overcome the economic handicap of blindness in their efforts to become self-supporting. There are ever increasing opportunities in employment for blind persons. Plans for support include, but are not limited to, the following:

agriculturist	newstand operator
1. cattle raiser	piano tuner
2. dairy farmer	real estate broker
3. grain grower	resort owner, operator, or employee,
4. grape grower	rooming house operator, owner, or
5. orchardist	employee
6. poultryman	salesman
apartment manager	1. agency representative
attorney at law	2. independent
braille transcriber and proof-	3. counter clerk
reader	stenographer
broommaker	social worker
broomseller	store-owner, operator, or
cabinetmaker	employee
California Industries for the	1. music store
Blind employee	2. novelty store
carpenter	3. book store
chiropractor	4. variety store
domestic	5. grocery store
factory worker	student
1. power machine operator	taxi dispatcher
2. assembly worker	teacher
insurance broker	telegraph operator
janitor	telephone operator
leathercraft worker	trainee in Orientation Center
magazine salesman	for the Blind
masseur	trainee with Vocational
minister	Rehabilitation
motel operator, owner, or employee	tutor
musician	vending stand operator
1. teacher	writer
2. student	
3. entertainer	

(a)

B. Evaluating a Sincere and Sustained Effort.

An evaluation of the applicant's sincerity of effort is usually limited to consideration of his attitude toward planning for the future. Sincere and sustained effort on the part of the recipient can be gauged by his day-to-day activities, his interest, his attitude, time devoted to the plan, and the

(a) Amplification

An eye examination by a duly licensed and practicing physician, skilled in diseases of the eye, or a duly licensed and practicing optometrist, is required by law to establish eligibility and continuance of eligibility. (See Sec. B-264, Neuropsychiatric Examinations)

A. EXAMINATIONS BY AUTHORIZED PHYSICIANS OR OPTOMETRISTS

All examinations to establish degree of blindness must be made by the physicians or optometrists authorized by the SDSW. Unless specific authorization is obtained from the SDSW, eye examinations shall be made only by a physician whose name appears in Sec. B-282, List of Authorized Physicians for Eye Examinations, or by an optometrist whose name appears in Sec. B-283, List of Authorized Optometrists for Eye Examinations. The individual shall have a choice of the kind of eye examination to be made, i.e., either ophthalmological or optometric. The individual shall have a choice of which authorized examiner in his locality (ophthalmologist or optometrist) is to make the examination. (Exception: Sec. B-255; Redetermination of degree of blindness) If no examiner of the category he chooses (ophthalmologist or optometrist) is available in the locality in which he lives, the nearest examiner of his choice shall be used.

B. OUT-OF-STATE EXAMINATIONS

Out-of-state physicians or optometrists who have been authorized by the SDSW to make eye examinations appear at the end of the lists, and individuals may be referred to them for eye examinations when they are the nearest examiners available. The names and addresses of physicians or optometrists not on the list who can be authorized to make examinations for persons visiting out-of-state may be obtained by writing to the SDSW. The individual's out-of-state address must be included in the letter. (W&IC 3075, 3083, 3460, 3471)

~~(New)~~

Two copies of the report of the eye examination shall be completed in writing over the signature of the physician or optometrist who made the examination. The form of the report, Report of Eye Examination, Form Bl 227 and Bl 227A, is prescribed by the SDSW. Reports of examinations from clinics cannot be accepted unless the physician or optometrist who made the examination and signed the report is one on the lists of authorized examiners.

The county shall complete the information on the upper part of the Report of Eye Examination (Form Bl 227 or Bl 227A) as to the status of the case, i.e., new application, reinvestigation, reapplication, the state number, county number, and district, if applicable, and the former state number if a transfer.

(W&IC 3075, 3083, 3460, 3471)

B-259 PROCEDURE WHEN CONTINUED ELIGIBILITY OF A RECIPIENT IS QUESTIONED B-259
ON DEGREE OF BLINDNESS

If the SDSW finds upon review of a current Report of Eye Examination, Form Bl 227 or Bl 227A (usually submitted in connection with reinvestigation), that the reported facts raise a question as to the continued eligibility of a recipient with regard to degree of blindness, this will be designated by the State Ophthalmologist by a check in the box entitled "Other" on the Report of Eye Examination. The State Ophthalmologist will also designate a particular medical examiner to whom the recipient is to be referred by the county for another eye examination. The designated examiner will make the examination in the capacity of a "referee" in view of the conflict in evidence, i.e., the current report and the last eye examination report.

The following procedure shall be followed:

1. A "hold" shall be placed on the warrant for the coming month.
2. The recipient shall be notified immediately that continued eligibility is questioned on the basis of conflicting evidence concerning the eye condition and that another eye examination is required.
3. The county shall make arrangements immediately for the eye examination by the examiner designated by the SDSW, and he is to be provided with a copy of each of the two eye examination reports which are in conflict, except that the names of the two examiners are to be omitted. Copies of the two conflicting reports will be sent to the county by the SDSW and forwarded by the county to the designated examiner.
4. If the recipient appears to be eligible for another form of aid, an application for such aid should be taken as soon as possible. This is designed to avoid possible loss of aid to the individual if continued eligibility on degree of blindness is not established.
5. The Report of Eye Examination by the designated examiner ("referee") shall be submitted to the SDSW as soon as it is received by the county. Time is of the essence in this procedure.

If the conflict in evidence as to degree of blindness is cleared within the month for which the warrant is being held, step 6 or 7 is applicable.

6. If the findings of the designated examiner ("referee") as shown on his report of eye examination differ from those which raised the question with regard to continued eligibility, this will be indicated by the SDSW by a check in the box entitled "Eligible" on the Report of Eye Examination which is returned to the county. The withheld warrant shall be released immediately as the conflict in evidence will have been cleared, and aid shall be continued in the amount to which the recipient is eligible.
7. If the findings of the designated examiner ("referee") as shown on his report of eye examination are in agreement with those which raised the question with regard to continued eligibility, this will be indicated by the SDSW by a check in the box entitled "Ineligible" on the Report of Eye Examination.

If such a report checked "Ineligible" by the SDSW is received by the county prior to the end of the month for which the warrant is being held, the withheld warrant shall be canceled, and aid discontinued effective with the last day of the month preceding that for which the warrant was held and canceled.

It is recognized that the securing of additional eye examination reports (as required) (Form B1 227 or B1 227A) may be dependent upon factors such as health condition of the recipient, proximity to a qualified examiner, etc.

If the conflict in evidence as to degree of blindness is not cleared within the month for which the warrant is being held, steps 8, 9, 10, and 11 or 12 are applicable.

8. The withheld warrant shall be released before the end of the month for which it is drawn. The warrant for the next or second month shall be issued and its delivery withheld, but not beyond the end of the month for which it is drawn. Not more than one warrant at a time may be held and under no circumstances shall warrants for more than two consecutive months be issued and withheld pending clearance of a conflict in evidence on degree of blindness.
9. A second and final notice shall be sent to the recipient with the released warrant advising that further payment will not be made unless eligibility is immediately cleared.
10. The county shall make every effort to clear it before the end of the month in which the second warrant is withheld.
11. If the report of the eye examination by the designated examiner ("referee") establishes eligibility, the second withheld warrant shall be delivered to the recipient immediately and aid shall be continued in the amount for which the recipient is eligible.

12. If the report of the eye examination by the designated examiner ("referee") establishes ineligibility, or if eligibility is not determined by the end of the second month for which delivery of the warrant was withheld, the second withheld warrant shall be canceled and aid discontinued, effective with the last day of the month preceding that for which the warrant was canceled.

If the recipient is dissatisfied with the reports of physicians or optometrists obtained through the foregoing procedure, he may submit reports of other examinations made at his own expense by other examiners on the authorized lists.

The State Ophthalmologist shall have the privilege of examining the recipient and recommending final action on the basis of all available information.

The above procedure is applicable in all instances where a current report of eye examination creates a conflict in evidence as to degree of blindness except (1) if the recipient has had eye surgery or treatment since the last previous eye examination report on file, or (2) more than 18 months have elapsed between the last eye examination report filed with the SDSW and the current one. In such instances it may be that current eye examinations by more than two examiners will be required and this will be indicated by the SDSW on an individual basis.

(W&IC 3075, 3083, 3083.1, 3460, 3462.1, 3471)

The annual net income of a recipient of APSB from all sources of a combined total value not exceeding \$1,000, increased by one-half of that part of his annual net income which is in excess of \$1,000, shall be considered exempt income in determining the amount of aid. Exception: (1) Income either in the form of General Relief which is granted for any part of the period covered by the first APSB warrant or (2) the value of basic needs furnished without charge to the recipient by State Orientation Centers for the Blind or the California School for the Blind is not exempt income. (See Sec. B-509, Residents of Certain Institutions Not Considered Inmates.) Such income shall be considered in determining the grant of APSB for any month in which such income is received.

Net income shall be determined by deducting from the gross income the expenses which are incident to its receipt.

If an application for APSB has been approved, the recipient shall be entitled to receive the maximum amount of aid each month, and retain net income up to \$1,000 within any one yearly income period. If a person has net income of more than \$1,000 in a given yearly period, an amount equal to one-half of that part of his monthly income which is in excess of \$1,000 is deductible from the maximum grant until the end of the yearly income period. (See Sec. B-642, Adjustment in Amount of Aid.)

If the recipient is making an allocation to his spouse, no adjustment shall be made until the support of the spouse has been met, but in no event shall the amount allocated to the support of the spouse exceed \$1,000 in a given yearly period. Such allocation shall not be made until the recipient has had his full maximum of \$1,000 exempt income. (See Sec. B-538, Division of Income with Spouse.)

An applicant (including original application, restoration, annual redetermination, transfer from ANB and reapplication) for APSB who has a regular monthly net income in excess of \$173.33 is ineligible for APSB even though he has a spouse without other means of support.

An educational scholarship, which has been awarded to a recipient of APSB while he is regularly attending any public school in this state or any institution of higher learning in this state, shall not be deemed property, income, or resource for any purpose, and no deduction shall be made from the recipient's amount of aid because of such scholarship. (W&IC 3400, 3447, 3460, 3472)

(Rev.)

Retroactive aid means aid paid in a subsequent month for some preceding month or months. All payments of aid shall be made within the month for which aid is granted except that retroactive aid shall be paid by the county in the following types of situations:

1. If retroactive aid is granted upon appeal to the SSWB or if the SDSW concurs in the county's recommendation that the appeal be adjusted by payment of retroactive aid without hearing by the SSWB.
2. If retroactive initial payments on applications or restorations are due because the determination of eligibility exceeded the period allowed by law. The action of the county may be an original action on the application or restoration or a subsequent action to correct the original action where it is found that the beginning date originally established was not in accord with the legal provisions. (See Sec. B-624)

Example 1: An application which was signed on June 15 was approved on October 15, aid to start effective October 1. On October 25 the county discovers that aid should have been effective September 1, according to the provisions of W&IC 3082. On November 2 the county takes action correcting the erroneous beginning date of aid by ordering aid paid effective September 1.

Example 2: The county did not complete the investigation on a restoration requested September 3, 1951, until December 5, 1951, when action was taken granting retroactive aid effective October 1, 1951.

Example 3: Restoration was requested September 3, 1951, and the county took action on October 25, 1951, granting aid, effective November 1, 1951. The county realized its error and took action

November 10, 1951, granting retroactive aid, effective October 1, 1951, thus correcting its October 25th action in accord with the provisions of W&IC 3078.3 and 3475.

Remainder of this section not relevant to change and is omitted from the agenda.

B-739 STIPULATED APPEALS

B-739

There are some appeals which the county can not adjust by administrative action alone, even though the county is willing to make the adjustment. Such appeals are those signed within one year of the county action complained of but not adjusted within that period, and some appeals involving degree of blindness.

Under such circumstances, the county presents the facts to the SDSW or the SDSW presents the facts to the county on degree of blindness appeals (Section B-261, Appeals on Degree of Blindness) and requests concurrence in their recommendations. If the SDSW or the county concurs, the county is authorized to make the adjustment. When an adjustment satisfactory to the appellant has been made, he is asked to withdraw his appeal. (W&IC 104.5, 3075, 3078, 3078.3, 3460, 3473.2, 3475)

EYE OPERATIONS

Cataract, Needling or Discission, operation for.....	\$50.00
Cataract, operation for (to include all postoperative care within 90 to 120 days following surgery, as well as final report and refraction).....	150.00
Cataract, operation for (to include up to 15 days postoperative care and consultation if requested by local eye physician within 120 postoperative days).....	115.00
Corneal Surgery - Non-penetrating (to include all postoperative care within 90 to 120 days following surgery).....	150.00
Corneal Surgery - Penetrating (to include 6 mos. postoperative care).....	250.00
Ectropion, operation for.....	50.00
Entropion, operation for.....	50.00
Enucleation of Eye.....	75.00
Iridectomy, Simple Iridectomy.....	75.00
Glaucoma, surgery for (other than simple Iridectomy).....	90.00
Lacrymal Sac, excision of, or Dacryocystotomy.....	50.00
Pterygium, removal of, or other external eye surgery--- up to	40.00
Retinal Detachment, correction of.....	150.00
Each surgery fee except as indicated includes up to 15 days postoperative care.	
Office visits - \$5.00 each, following 15 days postoperative period (except if surgery fee includes postoperative observation).	
Diagnostic Examination (when surgery not performed).....	10.00
Fee for diagnostic examination included in surgery fee when surgery follows.	

PHYSICAL EXAMINATION

Physical examination to determine feasibility for eye surgery.....	10.00
--	-------

POST OPERATIVE TREATMENT IN LOCAL COMMUNITIES

Postoperative care and report by eye physician other than the operating surgeon (each visit).....	5.00
Refraction with prescription.....	10.00

TREATMENT ONLY

(No surgery involved)

Initial Diagnostic Examination.....	10.00
Observation and Report.....	5.00

OTHER COSTS

Consultation or anesthetist service.....	As Paid
Hospital Items.....	As Paid
Boarding Home Items.....	As Paid
Transportation Items.....	As Paid
Miscellaneous Items.....	As Paid

If an ophthalmologist performs two or more eye operations at a hospital or clinic not located in his city or residence, the Division for the Blind may authorize payment of his traveling expenses in accordance with the rules of the Board of Control applicable to state employees.

These traveling expenses shall be billed for payment by the state by the addition thereof to one of the invoices (Form DFA 193) submitted for the eye operation. (W&IC 3051, 3462)

Certified as a Regulation (or
as Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. S. Schouland
(Signature)

Director
(Title)

3-31-53
(Date)

AREA OFFICES

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SACRAMENTO OFFICE
GILBERT 2-4711
924 NINTH STREET
14

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
943 MARKET STREET
2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND

DIRECTOR

March 31, 1953

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
14

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:

616 K Street
Sacramento 14

Dear Mr. Jordan:

Attached are three copies of regulations which will be issued by the State Department of Social Welfare with Adoption Manual Letter No. 32.

These regulations were adopted by the State Social Welfare Board on March 27, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Section 103, and are being filed in accordance with Section 11380 of the Government Code.

These regulations are effective May 1, 1953, and are contained in the following sections:

2020-00	2157-00	2290-00	2476-00
2030-00	2160-00	2335-00	2480-00
2040-00	2170-00	2340-00	2490-00
2080-00	2175-00	2350-00	2600-00
2090-00	2205-00	2370-00	2605-00
2110-00	2210-00	2385-00	2620-00
2118-00	2225-00	2410-00	2625-00
2122-00	2226-00	2430-00	2660-00
2140-00	2235-00	2440-00	2680-00
2147-00	2240-00	2450-00	2710-00
2148-00	2245-00	2460-00	2720-00
2155-00	2265-00	2475-00	2740-00

Very sincerely yours,

FILED

in the Office of the Secretary of State
of the State of California

Charles I. Schottland
Director

MAR 31 1953

Attachments

At 3 M.

FRANK M. JORDAN, Secretary of State

By Assistant Secretary of State

2122-00 OUTLINE FOR COURT REPORT BY ADOPTION AGENCY
PLACING CHILD AND JOINING IN PETITION

2122-00

No information shall be included in the court report unless it is substantiated elsewhere in the case record through correspondence, narrative, or otherwise.

A. Opening Paragraph

Suggested:

1. The _____, an organization licensed by the State Department of Social Welfare, having joined with _____ and _____ in the petition for the adoption of _____ presents its report.

or

2. The _____ being licensed by the State Department of Social Welfare, presents its report in the matter of the adoption of _____ by _____ and _____.

B. The Minor

1. A brief paragraph giving name as shown on petition, date of birth and place.
2. A brief paragraph showing date of placement by the agency, the length of time the placement was supervised, and a statement of the adjustment of the minor to the petitioners.
3. A brief statement regarding the child, including his development and legal status.

C. Parents (same information on both natural parents, if possible)

1. Brief statement regarding age, race, health, religion, and education but omitting their names.
2. Verified information as to marital status.

D. Relinquishment

FILED

In the Office of the Secretary of State
of the State of California

A statement showing when signed by each parent and the date filed with the SDSW.

E. Adopting Parents

MAR 30 1953

1. A brief statement giving information on each adopting parent regarding age, race, religion, education, occupation; health, marriage, and citizenship, and the agency's evaluation of them as parents.

At _____

FRANK M. JORDAN, Secretary of State

By _____

Assistant Secretary of State

A. Birth Information

The agent shall obtain and review the birth certificate as soon as possible and shall compare the name, date, place of birth, and names of parents with information obtained from the parents, the petition and the questionnaire. Discrepancies shall be reconciled if possible and those which can not be reconciled shall be reported in the narrative and in the court report.

If the investigation discloses that the child's birth was not registered within one year after birth, the agent may accept in lieu of the birth certificate other verifications of the identity of the child, such as a baptismal certificate, hospital record, other documentary evidence, or affidavits of persons having knowledge of the time and place of the birth of the child.

(b)

If the child is foreign born, the agent shall obtain all possible information regarding entry into this country from the parents and/or the petitioners. (See Sec. 2690-00, Citizenship or Legal Entry)

B. Medical Reports and Examinations

The agent shall obtain reports from the physician attending the birth of the child and from the pediatrician, hospital, clinic, or other physician currently attending the child. (See Sec. 2655-00, Acceptable Medical Reports, and Sec. 2660-00, Health)

C. Psychometric and Psychiatric Reports

If need for an examination by a psychiatrist or if psychometric test is indicated, it shall be required. In determining the need, the agency will take into consideration the age of the child, its own observation of his development, what is known of his family background, and whether or not there is a family history of feeble-mindedness, epilepsy, or mental illness or disorder.

(a)

D. The Child's Development

The agent shall obtain the developmental history of the child (physical, mental, social) from natural parents, physicians,

~~(a) Change in policy.~~

~~(b) Change in procedure because of change in Health and Safety Code.~~

* Revised since 2/25/53 County meeting.

2. A brief statement of the attitudes of other children and any other members of the household.

3. A brief statement in regard to the home environment.

F. Recommendation

~~(a)~~

Suggested paragraph:

In view of the foregoing facts the _____ consents to the
Name of Agency
adoption of _____ by _____ and _____
and recommends that the petition for adoption be granted.

~~(a) Simplification~~

A. Acceptance

Applications shall be accepted only from persons living in the geographic area of the state covered by the agency's license, unless the home is needed for a child with special needs.

Applications shall not be accepted from residents of other states. In the rare instances in which the only home available for a child with special needs is outside the state, the home may be considered if an authorized agency in the other state will accept the application and make the study.

(a)

No application shall be accepted from a single person, whether unmarried, widowed, or divorced.

B. Evaluations

There shall be an evaluation of the suitability of the home, considering all significant factors, especially the opportunity which the home offers for the best development of a child. Evaluation and decision may occur at any point during the application or study process.

(a)

C. Notice of Action

The agency shall inform the applicants as soon as possible of its approval of their home or that it can not serve them.

(a)

D. Applications Which Cannot Be Approved

There will be many intangible factors which will influence the decision of the agency but the following conditions will always preclude approval of the application:

(a)

1. If the placement of a particular child has been so promised that the agency is not free to make a different placement;
2. If any person in the home is suffering from a physical or mental condition which would be damaging to the child, which would seriously limit the ability of the parents to care for the child, or which indicates that one of the applicants does not have normal life expectancy;

(a)

(a) Clarification and Policy Change

* Revised since 2/25/53 County meeting.

* | petitioners, institutions, school, etc., as indicated. If clearance is made with a school, utmost caution should be used in obtaining it and in discussing the information with the petitioners. The agent shall observe the child and talk with him and shall consider his development in the light of accepted developmental norms. (See Appendicies for information on Development of Child at Different Age Levels.)

Remaining portions of this section not relevant to changes and are omitted from the agenda.

2450-00 APPLICANTS DESIRING TO ADOPT - BASIC STUDY REQUIREMENTS
(Rev.)

2450-00

A. Application

* | An application signed by both applicants shall be on file in an agency before a home study is undertaken. It shall be accompanied by signed authorizations for release of medical, social, and employment information.

* | Applicants shall be required to give at least four references and the agency shall contact, by the method it considers suitable, such of these persons as it deems necessary to evaluate the applicants and their home.

(a)

B. Interviews

* | There shall be as many home visits and office interviews as are necessary for the agency to make a fair and safe evaluation of the home.

* | Couples selected for home study shall be interviewed together and separately. Other members of the family, including children, shall also be interviewed.

(a)

* | There shall be at least four interviews during the home study, two with the couple together and one with each of them separately. At least one of the interviews with the couple shall be in their home. Other interviews may be in the home, the agency office, or other suitable place.

* | Interviews shall be recorded to show significant emotional, social, economic, and physical findings and the source, date, and place secured.

Remaining portions of this section not relevant to changes are omitted from the agenda.

(a) Change in policy

* Revised since 2/25/53 County meeting.

A. Placement of Relinquished Children

* The county agency shall ordinarily accept for service in the adoption program only children living in the county of application at the time of requesting service. (b)

* Ordinarily the agency shall place children relinquished to it only in approved homes in that county, but under certain circumstances it may be desirable for the child to be placed in another county or area of the state. In those instances placement may be arranged through another adoption agency. (b)

B. Investigation of Independent Adoptions

If responsibility for independent adoption has been delegated to it, the agency shall investigate independent adoption petitions filed in that county and referred by the SDSW, and shall give reciprocal service on adoption cases to the SDSW or other county adoption agencies. (b)

A. Registration

Registration may be made with the Social Service Exchange, if any, in the county in which the petition is filed in the names of the petitioners or applicants, the parents, and the child. If the natural mother is not married to the natural father, his name and that of her parents should appear under "others". (a)

B. Clearances

Clearances should be made as soon as possible after the case is received, and subsequent clearances should be requested as indicated. Clearances should be in the names of the petitioners, the natural parents, her parents, if indicated, and the child. (a)

The area office or the agency will make the clearance through the Exchange in its area, which will clear with its own records and those of any other city in this State which the area or agency may request, or in any city in the United States which is a member of the National Social Service Exchange Organization. (c)

The clearance slip should contain the following information: case number, as much identifying information as possible, including birth dates, full names, any aliases, present address, (a)

~~(a) Change in Policy~~

~~(b) Clarification~~

~~(c) Change in terminology - substituting "area" for "district"~~

~~* Revised since 2/25/53 County meeting~~

3. If the family income, financial resources, and past and present employment are such as to indicate inability to provide adequate standards of health and education and opportunities for normal development.

* The following will ordinarily preclude approval but may be waived by the agency if it has need for the home:

(a)

1. If the applicants are not citizens of the United States;
2. If the woman applicant is more than 40 years of age and the man applicant more than 45, for the placement of an infant. (Applications from older persons may be approved for the placement of older children in accordance with their age.)

(a)

2475-00 SUPERVISION AFTER PLACEMENT FOR ADOPTION
(Rev.)

2475-00

After placement of the child, the agency retains custody of the child and shares with the couple responsibility for his care until the completion of the adoption. This interim period may be regarded as a completion of the study process, during which the agency and the applicants have an opportunity to evaluate the soundness of the placement and to determine whether the adoption is right for the couple and for the child, and during which the individuals may become a family unit. The agency shall give support and help to the couple in effectuating the new family relationships and shall make itself available for counsel and help in handling problems as they arise. It shall make whatever evaluation is necessary before it approves completion of the adoption. In carrying out this responsibility, it shall require periodic medical examinations and developmental tests and psychiatric consultation as needed, and shall keep informed of changes in the adoptive home which relate to family adjustment, such as marital status, social change, health, employment, family membership, and housing.

* This interim period shall normally be one year but may be shortened by the agency after the completion of the sixth month if the agency is satisfied that the purposes of the period have been carried out. It may be extended beyond one year if the agency determines it is necessary or wise.

(b)

There shall be as many interviews as are necessary to satisfy the agency and the adoptive parents that the adjustment and development of the child in the home are satisfactory and that the couple are ready to take full responsibility as parents.

There shall be a minimum of four interviews with the family, two of which shall be in the home with the child and both parents present. Other members of the family, including children, shall also be seen. The agency may use its discretion in timing the visits, with the exception of the first one, which shall be shortly after placement.

(a) Clarification and Policy Change.

(b) Change in policy.

* Revised since 2/25/53 County meeting.

physical examination to determine the presence or absence of other manifestations of syphilis before making a final recommendation in the adoption. In doubtful cases material may be submitted for advice to the Bureau of Venereal Diseases and information of the State Department of Public Health.

Medical reports on other members of the family or household should not be requested routinely but only as indicated. In such cases a statement by the physician rather than a complete medical report will usually be sufficient.

B. Applicants in Agency Adoptions (Relinquishment)

A medical report of an examination of each applicant and other members of the household shall be required during the course of the study of the home, the examination to include blood tests for syphilis.

If a child is not placed within a year, or if there are indications of health problems, a second examination shall be required before a placement is made. The agency shall use its discretion in requiring new blood tests and chest x-rays.

C. Natural Parents of Child to be Adopted

Health: As much information as possible should be obtained regarding the health of the natural parents, from their own statements, from medical reports if available, from records of agencies, clinics, hospitals, maternity homes, and from relatives and other references.

If the child to be adopted is an infant, a report should be obtained from the obstetrician regarding the mother's health and physical condition, including a blood test for syphilis, and a statement regarding any complications of pregnancy and birth. (Form Adop M39) If the child to be adopted is older, a similar report should be obtained if it is deemed necessary.

D. The Child Placed Independently

The agent shall obtain reports from the physician attending the birth of the child (in all cases of infants and as deemed advisable in cases of older children) concerning complications of pregnancy and birth, condition of the child, and reports of tests and examinations. (Form Adop M39 Rev.)

The agent shall obtain a report from the pediatrician, hospital, clinic, or other physician currently attending the child. (Form Adop M36 Rev.) In the case of an infant, the report should be on an examination made when the child is at least five months of age.

~~(a) Change in policy.~~

~~* Revised since 2/25/53 County Meeting.~~

and at least one previous address, if known. If the natural mother is unmarried, she should be listed as the client, and the natural father's name should appear under other persons for whom clearance is indicated.

Notation should be made on the bottom of the slip if clearance in some other city is desired.

C. Review of Records of Other Agencies

Clearances with the agencies with which the parties are registered may be made in person, by telephone, or by letter, according to the working agreement with the particular agency. It may not be necessary to review the records of all agencies, but essential records shall be reviewed as promptly as possible.

If the agency is in another area, request for information or a resume of the record may be made to the agency by letter by the area or agency handling the case, or the first area or agency may request the other area office or agency to review the record. If such a request is made, the requesting area or agency shall include a full report of registrations with agencies in the second area. (a)

If the agency is in another state, the request for information or for a resume of the record shall be made by letter.

2660-00 HEALTH
(Rev.)

2660-00

A. Petitioners in Independent Adoptions

A medical report of an examination of each petitioner, made within six months of the filing of the petition, shall be obtained. If a further examination is indicated, it shall be requested. (Authorization Form Adop M26 and Physician's Report Form Adop M35)

The medical report must include a report on a blood test for syphilis. If the blood test is positive, the matter shall be cleared with the physician immediately to determine the prognosis. If the petitioner is under treatment, the prognosis is favorable, and the physician states that the condition is not infectious, the agent may request an extension of time. At the same time she should explain to the petitioners, the physician, and attorney that the SDSW, acting on the advice of the State Department of Public Health, Bureau of Venereal Diseases, will require a spinal fluid examination and a careful

(a) Change in terminology - substituting "area" for "district".

A serological test for syphilis shall be required on the infant (a) if the mother had no pre-natal test for syphilis or pre-natal care or (b) if there is a history of syphilis or treatment for syphilis at any time in the past, or (c) if the pre-natal test for syphilis was positive or doubtful.

The serological test for syphilis may be omitted if the mother's pre-natal serological test for syphilis and clinical examination are negative, there is no history of syphilis, and the social history indicates that the mother has not been promiscuous.

Authorizations should be obtained from the mother for release of medical and social information. (Forms Adop M49 and Adop M52) If the request for information is sent to a hospital or maternity home it should cover both types of information. In requesting information, complete identifying information should be given: the name of the natural mother, the name and birth date of the child as it appears on the birth certificate, and the name of the natural father, if known. If the child was born in a maternity home, the request should be directed to the home rather than to the physician.

If it is not possible to get a report from the hospital, maternity home, or physician attending the mother at the birth of the child, and the birth certificate shows that a blood test was made on the mother during gestation, or at delivery, the result of the test, if positive, may be obtained from the State Department of Public Health, Bureau of Venereal Diseases, Berkeley, California. The request for this information should be made by the area office or agency concerned.

E. The Child Placed By an Adoption Agency

In addition to the above information regarding medical requirements (see Sec. 2430-00).

2680-00 PSYCHOMETRIC OR PSYCHIATRIC REPORTS

2680-00

Examinations by psychiatrists and psychometric tests shall be required for the child and petitioners whenever need for this is indicated.

A. Case Material Regarding the Relinquishment Program

1. The Child

To be submitted by all agencies:

- a Notice of acceptance of child by the agency, whether for study or for care. (Form AD 550)
- b A certified copy of the relinquishment or notice of procedure in lieu of relinquishment (Form AD 551-A) accompanied by a face sheet giving identifying information on the child and his family.
- c Notification of placement for adoption or replacement which shall show the name of the child placed, date of placement, and the names of the couple with whom the child is placed. (Form AD 558)
- d If the adoption of a child placed by the agency has been, or is being, completed outside the state, notice of the fact.

To be submitted by public agencies only:

- a If the relinquishment is rescinded before it is filed with the SDSW, the public agency, in order to claim reimbursement, must file a notice of taking relinquishment (Form AD 551) or notice of action in lieu of relinquishment (Form AD 551-A).
- b A notice of termination of care other than by placement for adoption, of children for whom the agency has accepted a relinquishment or action in lieu of relinquishment. (Form AD 559)

2. Applicants

Notice of application. (Form AD 552-A)

B. Statistical Reports

The agency shall furnish such statistical information and reports as the SDSW requires.

C. Action by SDSW on Material Submitted

1. Acknowledge receipt of relinquishment.
2. Notify the agency of cross reference material.
3. Issue its waiver following receipt of notice that the petition has been filed and necessary documents.

A. Transfer of Independent Adoption From One Agency to Another Occasioned by Move of Petitioners From the County in Which the Petition was Filed

The social study could be made by the public agency having responsibility for independent adoptions (a county adoption agency or the SDSW) in either county, services in interviewing the parties being given by the other agency.

The adoption petition could be heard in either county, as both courts could be considered as having jurisdiction, as follows:

1. The petition could remain in the original county, the petitioners returning to the county for the court hearing.
2. The petition could be dismissed in the original county and filed in the new county.
3. The attorney could petition for a change of venue, which would result in the transfer of all court records to the second county.

Because of these alternate methods of handling, there can be no strict rule as to transfers, but the following will serve as guides:

1. The agency responsible for independent adoptions (either a county adoption agency or the SDSW) in the county in which the petition was originally filed will start from the premise that it is responsible for the completion of the case and the filing of the court report and that it will continue with it unless it is evident that the case can be better or more effectively serviced by a transfer. The decision as to whether it should be transferred will be partially dependent on the stage of the investigation, when the agency learned of the petitioners' move, the due date of the petition, and whether both the petitioners and the natural parents are living in the second county. If the petitioners move immediately after filing the petition and before any contacts have been made, a transfer would ordinarily be preferable. If the petitioners have been interviewed and the case can be completed with one more contact with them, it will probably be better for the first agency to keep the case and send to the second agency a request for a home visit.

If one area office or agency requests another office or an agency in another state to interview a natural parent or petitioner or to make a collateral call, the request should include the following basic information and should be set up according to the following outline:

1. Due date of petition; if urgency, mark "urgent" and specify date needed;
2. Tabulate the names and addresses of the individual or individuals to be interviewed and give any other information which might be helpful to the person taking the interview, such as directions for reaching the home, when interviewee may be seen, and whether an office interview will be acceptable.

(a) Natural Parents

If the requesting office has obtained partial information, a statement should be made of the points already cleared, and the request should specifically stipulate the points to be cleared or emphasized. If no contact has been had, request should be made for a complete interview according to outline. If the request is sent to an out-of-state agency, a copy of Form Adop M67, Information Concerning Parent of Child to be Adopted, should be included.

If the request is to secure consent for adoption of a child born in wedlock, information should be given as to whether the consent of the other parent has been obtained, or whether such consent is not necessary and, if unnecessary, why; and the length of time the child has been in the home. If further clearance is necessary to show the status of the child, this shall be requested specifically.

Consent forms should be attached, made on the proper form and with the verified information regarding the birth of the child. If this information has not yet been verified, it should be so recorded. The form should be left blank regarding the child, but information should be recorded regarding the petitioners and action number.

There should be a brief paragraph regarding the petitioners, their home, the adjustment of the child to the home, and whether or not the home appears satisfactory. This is important, as many parents wish information regarding the petitioners before reaching a decision. If the request is made before the petitioners are interviewed, it should so state, and should give whatever information is available from the petition or questionnaire.

(b) Petitioners

The request shall include a brief statement of information already obtained regarding the petitioners. If the office

2. The agency requesting service, but retaining responsibility for the case, will be responsible for all the paper work, including obtaining necessary verifications.
3. The court report could be filed by either agency, depending on which has assumed the major responsibility for the case. If the transfer of a case involves filing of a court report in one county by an agency in another, an explanation of the circumstances should be given in the opening paragraph of the report.
4. Reactivated cases will be assigned by the SDSW central office to the agency having responsibility for the independent program in the county where the petition is pending. The agency covering that county may either keep the case and request service from the county in which the petitioners are living or it may transfer the case, preferably the latter, to the agency serving the county of the petitioners' current residence.

B. Independent Petitions Filed in Error in a County in Which Petitioners Do Not Reside

The agency should bring this to the attention of the attorney, suggesting the two possible courses of action, that the petition be dismissed and filed in the proper county or that the attorney petition for change of venue.

C. Case Assigned as an Independent Adoption is Found to be a Stepparent Adoption

As soon as the agency discovers that the petition has been filed by a stepparent, one natural parent retaining custody of the child, it should transfer the assignment sheet and any other material to the Probation Officer of the county.

D. Notification to SDSW When Transfer is Made

It is important that the SDSW central office know at all times the location of case files. A copy of the letter of transmittal should be sent, therefore, to the Bureau of Adoptions, Sacramento, whenever a case is transferred to another agency or area office of the SDSW.

2710-00 REQUESTS FOR SERVICE ON INDEPENDENT ADOPTIONS

2710-00

(Rev.)

A. Request

Requests for securing a consent and/or obtaining additional information in connection with an independent adoption should be addressed to the agency serving the county or to the area office of the SDSW, as the case may be. (See Appendix 26)

(a) Clarification

If an adoption agency requests another adoption agency in California or an agency in another state to interview a natural parent or an applicant, or to make a collateral call, the request should include the following information.

1. The date by which the information is desired;
2. The names and addresses of the individual or individuals to be interviewed, with any other information which might be helpful to the person taking the interview, such as directions for reaching the home, when interviewee may be seen, and whether an office interview will be acceptable.
3. The particular points to be cleared in the interview, indicating any other information which would be desirable.

If, after making a request, the agency finds that the interview is no longer necessary, it should immediately notify the second agency.

B. Reply

1. An attempt should be made to clear the request at the earliest possible moment. If there is unusual delay, the second agency should notify the requesting agency. If the second agency writes to the interviewee, a copy of the letter should go to the requesting agency.

2740-00 SERVICES TO AGENCIES IN OTHER STATES (Rev.)

2740-00

- A. Requests from agencies, either public or private, in other states, for investigation or services in connection with adoptions should be directed to the central office of SDSW for referral to the proper agency. They may, however, be directed to the area office of SDSW, or to an adoption agency.

If the area office or agency receives such a request directly from the agency, it shall send to the Adoption Bureau in the SDSW central office a copy of the letter with the notation that the matter is being handled by it or is being routed to the appropriate agency.

Requests received by the central office of the SDSW involving either an adoption or placement for adoption will be referred by it as follows:

1. To the County Probation Officer - any request for service involving a stepparent adoption.

~~(a) Change in procedure~~

~~(b) Change in terminology - substituting "area" for "district"~~

~~(c) Clarification~~

~~* Revised since 2/25/53 County Meeting~~

making the request has no information, there shall be a statement to that effect and a request for a complete report according to outline.

The requesting office shall indicate whether the natural parent has been interviewed and consents obtained, and any information regarding the child which would be helpful to the interviewer or which should be discussed with the petitioners.

(c) Collateral Calls

The request should specify the particular points to be cleared and indicate any other information which would be desirable.

If, after making a request, the requesting area or agency finds that the interview is no longer necessary, it should immediately notify the second area or agency. (a) (a)

B. Reply

1. An attempt should be made to clear the request at the earliest possible moment. If the second area or agency writes to the interviewee, a copy of the letter should go to the requesting area or agency. If there is an unusual delay, the second area or agency shall notify the requesting area or agency. (a) (b) (a)

2. The report back to the requesting office should be in narrative report form according to outline (for petitioners or natural parents) and should be sent with a covering memo of transmittal.

If the request is for specific information only, the point in question should be fully covered, and any other information pertinent to the adoption which may have been obtained should be included. The report should be in outline form even though it may cover only a partial investigation.

2720-00 REQUESTS FOR SERVICE ON AGENCY ADOPTIONS (RELINQUISHMENTS)

2720-00

(Rev.)

A. Request

Requests for securing a relinquishment and/or obtaining additional information in connection with a relinquishment adoption should be addressed to the agency serving the county or to the area office of the SDSW. (See Appendix 26) (b)

- (a) ~~Change in terminology - substituting "area" for "district"~~
 (b) ~~Change in procedure~~

If the request involves not only the investigation but permission to send a child into the State, the agency receiving the request should state in its reply to the out-of-state agency that the California law does not require permission to bring a child into the State. It should suggest, however, that the agency clear with the welfare department of the county in which the child is to be placed for its approval of the entry of the child, as there might later be a question in regard to the dependency of the child.

(a)

C. Report

Two copies of the report should be sent to the out-of-state agency (unless an additional copy is requested), and one to the Bureau of Adoptions. This applies to requests sent directly to an area office of SDSW or an agency by an out-of-state agency, or referred by the Bureau of Adoptions.

(a)

The report should be informational only and should not include any recommendation, as the SDSW and the agencies in California have no authority to recommend except on a petition filed in this State.

Information regarding placement may be omitted from the report if it is not pertinent. It should be obtained, however, and a statement attached to the copy of the report for the Adoption Bureau covering the following points:

(a)

1. How did the individual learn of the agency?
2. How was placement arranged?
3. Statement of individuals as to information furnished by them to the agency, and by the agency to them regarding the child.
4. Any other information obtainable regarding policies, procedures, and practices of the out-of-state agency.

This material is important, since it may assist the SDSW in developing better inter-state placement practices.

2. To a licensed adoption agency. (b)
 - a. Requests for interviews with individuals, or exploration of any factors concerning the background of a child being considered for placement for adoption by the referring agency.
 - b. Request for a home study for a specific child whose circumstances are such that placement outside his own state is indicated. These would fall primarily in the area of special races or religions, or children already known by foster parents now residing in California.
 - c. Requests for supervision of an adoptive home in which a child has been placed by the referring agency prior to the family's move to California, or if the agency has participated in placement plans for the reasons outlined in b, and the adoption is to be completed by the agency making the placement. (b)
3. To the Adoption Unit in the SDSW area office or the County Adoption Agency. (a&c)
 - a. Any request to obtain consent or interview a natural parent residing in California if the adoption is to be consummated in the other State, whether the placement was made independently or through an agency.
 - b. Any request for supervisory visits to the home of petitioners with whom a child has been placed independently in another state, and adoption is to be completed in the other state.
 - c. Any request for the investigation of a foster home if placement has not yet been made but the adoption is to be consummated in California as an independent adoption.
 - d. Collateral calls other than routine reference calls. Agencies requesting reference calls are notified by the SDSW that time does not permit the SDSW to undertake that service.

B. Investigation

The investigation should be made, or other service requested by the agency, should be rendered as promptly as possible and with the same thoroughness as though the SDSW or agency were making the entire investigation. If the requesting agency does not submit an outline for interview, the appropriate outline used in this State may be followed in interviewing and dictating.

- ~~(a) Clarification~~
- ~~(b) Change in procedure~~
- ~~(c) Change in terminology - substituting "area" for "district"~~

The legal sanction for adoptions in California and the procedural framework by which the new relationship is established are found in the Civil Code of California, Sections 221 to 231, inclusive.

A. Child May be Adopted

Any minor child may be adopted by any adult person, in the cases and subject to the rules prescribed in this chapter. (Sec. 221, Civil Code)

B. Who May Adopt a Child

The person adopting the child must be at least 10 years older than the person adopted. (Sec. 222, Civil Code)

A married man, not lawfully separated from his wife, can not adopt a child without the consent of his wife, nor can a married woman, not thus separated from her husband, without his consent, provided the husband or wife, not consenting, is capable of giving such consent. (Sec. 223, Civil Code)

A married woman under twenty-one years of age is considered an adult for the purpose of adopting a child in California.

C. Adult May Be Adopted

Any adult person may adopt any other adult person younger than himself, except the spouse of the adopting person, by an agreement of adoption approved by a decree of adoption of the Superior Court of the county in which either the person adopting or the person adopted resides. (Sec. 227p, Civil Code)

No investigation nor report to the court by a public officer is required, but the court may require the county probation officer or the State Department of Social Welfare to investigate the circumstances and report to him with recommendation.

Consent of the natural parents of the person to be adopted is not necessary nor is consent of the State Department of Social Welfare necessary.

The consents of the spouses of the parties are necessary if they are capable of giving consent.

2021-00 PROCEDURE IN ADULT ADOPTIONS

2021-00

The SDSW will keep a record of the notification from the county clerk of petitions for adoption of adults, but will take no action on any petition unless it receives a formal request from the court to make an investigation and report on a given petition. If such a request is received, it will be referred to the proper area office or county adoption agency. The investigation will be limited to the social factors involved, and the report and recommendation to the court will be made on that basis.

2030-00 TYPES OF ADOPTION

2030-00

Provision is made in the law for five types of adoption: (1) independent, in which the child is placed by the parent, who consents to the adoption by the specific individuals; (2) agency, in which the child is relinquished by the parents to a licensed adoption agency and is placed by the agency; (3) stepparent, in which a stepparent adopts and one natural or adoptive parent retains custody and control of the child; (4) adoption of an illegitimate child by the natural father; (5) adoption of an adult by an adult.

2040-00 INDEPENDENT ADOPTIONS

2040-00

A. Legal Basis

Section 226 of the Civil Code sets forth the basic statutory framework under which the State Department of Social Welfare and public adoption agencies are given responsibility for the investigation of "independent" adoptions.

D. Service Which May Be Rendered Prior to Filing of Petition

Prior to receipt by the SDSW of notification of pendency of an adoption petition in a county, the SDSW and the public adoption agency have no legal obligation to render any service on an adoption matter. In actual practice, however, they can give considerable service to natural parents, prospective adoptive parents, attorneys, physicians, and other interested persons. Contacts with such persons are generally limited to office interviews or correspondence. An opportunity is given in these instances to interpret the adoption program and the principles of child care and placement. A pamphlet summarizing the principle provisions of the Adoption Law is available for distribution. A form for guidance in preparing petitions for adoption may be given to petitioners or their attorney upon request.

2080-00 CITIZENSHIP FOLLOWING ADOPTION
(Rev.)-

2080-00

1. The citizenship of the child remains the same after adoption as before.
2. Public Law 414, which became effective December 24, 1952, makes provisions for naturalization of an alien child adopted by U. S. citizens under certain specific conditions:

(a)-

"Sec. 323. (a) An adopted child may, if not otherwise disqualified from becoming a citizen by reason of Section 313, 314, 315, or 318 of this act, be naturalized before reaching the age of eighteen years upon the petition of the adoptive parent or parents, upon compliance with all the provisions of this title, if the adoptive parent or parents are citizens of the United States, and the child --

- (1) was lawfully admitted to the United States for permanent residence;
- (2) was adopted before attaining the age of sixteen years; and
- (3) subsequent to such adoption has resided continuously in the United States in legal custody of the adoptive parent or parents for two years prior to the date of filing such petition.

(a)-

(b) In lieu of the residence and physical presence requirements of Section 316 (a) of this act such child shall be required to establish only two years' residence and one year's physical presence in the United States during the two-year period immediately preceding the filing of the petition. If the child is of tender years, he may be presumed

~~(a) Change in law (U. S. Public Law 414, effective 12-24-52)~~

B. Specific Responsibilities of State Department of Social Welfare and Public Adoption Agency

1. To ascertain whether the child is a proper subject for adoption.
2. To ascertain whether the proposed home is suitable for the child.
3. To submit to the court a full report of the facts disclosed by its inquiry, with a recommendation regarding the granting of the petition. (Sec. 226, paragraph 4, Civil Code)
4. To submit to the attorney for the petitioner in the proceedings, if the petitioner has an attorney, or to the petitioner, a copy of any report or findings submitted to the court. (Sec. 226, paragraph 6, Civil Code)
5. To witness the signature to the consent to adoption by the natural parent or parents residing in California on a form prescribed by the SDSW. (Sec. 226, paragraph 1, Civil Code)
6. To give its consent in cases in which the consent of the natural parent or parents is not necessary or has been signed outside the state before a notary public if it finds that the child's welfare will be promoted by the adoption. (a)
7. To recommend a suitable plan for the child and to appear before the court to represent the child:
 - a. If the parents have not withdrawn consent but the petitioners do not wish to proceed with the adoption and wish to have the adoption petition dismissed.
 - b. If the SDSW or county agency recommends that the petition be denied.
8. To submit a full report to the court and to appear before the court to represent the child at the hearing if the natural parent petitions the court for permission to withdraw consent.

C. Time Limit for Investigation (a)

The investigating agency is allowed 180 days from the date of the filing of the petition within which to make its investigation and report to the court. The court may grant additional time for the filing of the report. (Sec. 226, paragraph 5, Civil Code)

~~(a) Change in law (Chap. 637, Stat. 1951)~~

Subsection A and B of this section not relevant to changes and are omitted from the agenda.

C. Action following Setting Aside of Decree of Adoption (Sec. 227c, Civil Code)

1. The court:

- (a) Shall direct the district attorney or a psychopathic probation officer, or any suitable person, to take proceedings under the respective chapter of the W&IC relating to commitment of insane or feeble-minded or epileptic persons as the case may be.
- (b) It may also make such order relative to the care, custody, or confinement of the child pending the proceedings as it sees fit.

The county in which the adoption proceedings were had shall be liable for the support of the child until he shall have been declared sane, or restored to capacity, and in any event until he is able to support himself.

D. Time Limitation Within Which an Adoption May be Set Aside

"Any action or proceeding of any kind whatsoever to vacate, set aside, or otherwise nullify a decree of adoption on the ground of any defect or irregularity of procedure in the adoption proceeding must be commenced within three years after entry of the decree. Any action or proceeding of any kind whatsoever to vacate, set aside, or otherwise nullify a decree of adoption on any ground other than a defect or irregularity of procedure must be commenced within five years after entry of the decree. In any case in which the decree of adoption was entered before the effective date of this section,* the period of limitation prescribed in this section shall run from and after such effective date." (Sec. 227d, Civil Code)

(a)

*Sept. 22, 1951

~~(a) Change in Law (Chap 638, Stat 1951)~~

to be of good moral character, attached to the principles of the Constitution, and well disposed to the good order and happiness of the United States."

This provision will be applicable not only to children adopted subsequent to December 24, 1952, when the law became effective, but also to children previously adopted in countries outside of the United States.

(a)

2140-00 COURT APPEARANCE

2140-00

~~(Rev.)~~

A. Appearance

The person or persons desiring to adopt a child and the child proposed to be adopted must appear before the court. (Secs. 227 and 227aa, Civil Code)

Exception

Provision is made for exception if the adoptive parent is commissioned or enlisted in the military service or auxiliary thereof of the United States, or any of its allies, or in the American Red Cross, and appearance is impossible or impractical. In such cases appearance may be made for such person by his or her counsel, commissioned and empowered in writing to do so. (Sec. 227, Civil Code)

B. Examination by Court

The court must examine all persons appearing before it, each separately. If appearance is made by counsel, the court may, in its discretion, cause such examination of the adoptive parent, other interested party, or witness to be made upon deposition, as it deems necessary. (Sec. 227, Civil Code)

C. Agency Representation

There is no legal requirement that the investigating agency or agency making the placement shall have a representative in court if the recommendation is approval, and it is not customary to be so represented, except upon request of the court, the petitioners, or their attorney.

In an independent adoption, if the recommendation is denial, or if the petitioners withdraw their petition or have it dismissed, the law provides that the SDSW or public adoption agency shall appear before the court to represent the child.

(b)

~~(a) Change in law (U. S. Public Law 414, effective 12-24-52)~~

~~(b) Change in Law (Chap 638, Stat 1951)~~

2. The SDSW will send notice to the district office or to the county adoption agency.
3. The agency to which the case is assigned should:
 - a. Notify the legal counsel for the agency of the action, requesting that he file an appearance for the agency on behalf of the child, determine with him who will be responsible for any contacts with the attorney of the natural parent(s) and of the petitioners, and discuss the report which the SDSW or the county agency will file.
 - b. Interview the natural parent(s) and make as complete an investigation of the parent's plans as may be necessary.
 - c. Interview the petitioners and investigate their plan for the child, including their attitude toward the natural parent(s) and the withdrawal of consent.
 - d. Secure available information on child.
4. The agency shall file a full report with the court on the petition to withdraw. The report should also state clearly the areas of the adoption study that have been covered and the information secured. Generally the report should include a recommendation as to the withdrawal. If it is recommended that the petition to withdraw consent be granted, the report should cite the provision of Section 226a, that if the court approves the withdrawal of consent, the adoption petition shall be dismissed.

If the petition is granted and the adoption petition dismissed, no further report to the court will be necessary.

If the petition is denied, the agency will proceed with the adoption investigation and report on the adoption proceeding.

A combined report on the petition to withdraw and the adoption petition can be made only in those situations where it has already been determined by investigation that the adoption petition recommendation will be denial. The recommendation in these cases will be that the petition to withdraw consent be granted.

(a)

The report should be discussed with the legal counsel for the agency before it is filed and a copy should be forwarded to him.

5. The county clerk will notify the SDSW of the date and place of the hearing. The SDSW will notify the area office or county agency of hearing. If the hearing is not set within a reasonable time, the agency should discuss with the legal counsel arrangements for setting it.

A. Filing

1. Request for approval of withdrawal of consent may be made by motion or the natural parent(s) may file a petition for withdrawal of consent with the clerk of the superior court where the adoption petition is pending.
2. There is no fee connected with the filing of this petition.

B. Form of Petition

The petition shall be in writing but there is no required form. It may be prepared by either the attorney for the natural parent(s) or by the parent(s) acting as their own attorney. The SDSW will make available on request to the natural parent(s) or their attorney an outline which may be used in the preparation of the petition.

C. Content of Petition

The petition should show why the parent wishes to withdraw consent. It is desirable to include in the petition the following points regarding the child and the natural parents:

1. Child

- a. Name of child, including any variations if the child has been known by several names.
- b. Birthdate and birthplace of child.
- c. Name of person or persons to whom the consent for adoption of child was given.
- d. Date of consent.

2. Natural parent(s)

- a. Name of Parent(s)
- b. Marital status of natural parent(s)
- c. Reasons for the desire of the natural parent(s) to withdraw consent.
- d. Plan of the parent(s) for the care of the child.

D. Procedure

1. The clerk of the court by means of notice of subsequent action (Form Ad-28) will notify the SDSW of the filing of the petition for approval of withdrawal of consent.

A. The consent of the father is not necessary if the custody of any legitimate child has, by any judicial decree, been given to the mother, and the father for a period of one year shall willfully fail to pay for the care, support, and education of such child when able to do so. The mother alone may consent to such adoption, but only after the father has been personally served with a copy of a citation requiring him to appear at the time and place set for the appearance in court under Sec. 227 of Civil Code; if the father can not be located for personal service, the same may be made by publication as provided for the publication of summons in Sec. 413 of the Code of Civil Procedure. (Sec. 224, Civil Code)

B. The consent of the parent or parents is not necessary under the following circumstances:

1. If the father or mother of any child has been judicially deprived of the custody and control of the child by order of the Juvenile Court, declaring the child to be free from the custody and control of either or both of his parents as provided in W&IC 701, 720, 775 - 786; or by similar order of a court of another jurisdiction, pursuant to the law of that jurisdiction; or if the father or mother has in a judicial proceeding in another jurisdiction voluntarily surrendered his right to custody and control of the child in accordance with the laws of that jurisdiction. (See Sec. 2620-00, Legal Status of Child.) (See Sec. 224-1, Civil Code) (See Secs. 2370-00 and 2440-00 for procedure to be followed if child is to be declared free from custody and control of a parent who is a patient at a state hospital.)

(a)

These provisions do not refer to the giving up of custody by one parent to another in a divorce decree or the awarding of custody to a parent in a divorce decree. The surrender of custody in a divorce action is incidental to the divorce action and is not pursuant to any law regarding surrender of a child.

2. If the father or mother of any child has deserted the child without provision for its identification. (Sec. 224-2, Civil Code)
3. If the father or mother of any child has relinquished the child for adoption as provided in Sec. 224m of Civil Code to a licensed adoption agency in California, or to a licensed or authorized child placing agency in another jurisdiction. (Sec. 224-3, Civil Code)

(b)

(c)

~~(a) Change in law (Chap. 638, Stat 1951)~~

~~(b) 4, 4a, 4d and 4e omitted - change in law (Chap 638, Stat. 1951)~~

~~(c) 4b and 4c - moved to Sec. 2370-00~~

6. On receipt of the notice of time and place of hearing, the agency should notify legal counsel and arrange for appearance at the hearing.

E. Hearings

The law provides that:

1. The hearing shall be held in chambers and the court reporter shall report the proceeding and his fee shall be paid from county treasury on order of the court.
2. At the hearing, the parties may appear in person or with counsel. The SDSW or county adoption agency shall appear to represent the child.
3. If the court finds that withdrawal of consent to adoption is reasonable in view of all the circumstances and that withdrawal of consent will be for the best interests of the child, the court shall approve the withdrawal of the consent; otherwise the court shall withhold its approval. If the court approves the withdrawal of consent, the adoption petition shall be dismissed. (a)

F. Appeal from Action on Petition for Approval of Withdrawal of Consent

Any order of the court granting or withholding approval of a consent to an adoption may be appealed from in the same manner as an order of the juvenile court declaring any person to be a ward of the juvenile court. (Sec. 226a, Civil Code)

2205-00 CONSENTS OR RELINQUISHMENTS REQUIRED

2205-00

~~(Rev.)~~

Consent of Parents to Adoption

The following provisions refer to the fact of consent, and apply both to the consent used in independent or stepparent and to the relinquishment used in agency adoptions.

Subsections A through E of this section not relevant to changes and are omitted from the agenda.

F. Consent or Relinquishment of Parent in State Hospital

(See Secs. 2370-00 and 2440-00 for instructions regarding interviewing and taking consent and relinquishment.) (b)

~~(a) Change in Law (Chap. 638, Statutes of 1951)~~

~~(b) To add cross-reference for clarification.~~

An adequate investigation will include not only the gathering of facts in regard to the adoption, but an analysis and evaluation of the facts obtained. The value of the recommendation will depend upon the validity of the findings. Methods for obtaining and verifying information will vary with the individual case.

A. If the recommendation is to be approval, the investigation shall be completed in every respect.

B. If the recommendation is to be denial, the investigation shall be completed unless the parents have not consented or have withdrawn their signed consent and the child has been removed from the home of the petitioners. The fact that the child is no longer in the home shall be verified before filing an incomplete report recommending denial. On all other denials the agent will be responsible for making and recommending to the court a suitable plan for the child. (See Secs. 2147-00 and 2380-00)

(a)

C. If the petition is dismissed, the SDSW or county adoption agency will be responsible for finding out what disposition has been made of the child and for making a report to the court recommending a suitable plan for the child.

Since the court retains jurisdiction over the child, notwithstanding the dismissal of the adoption petition and may make such order or orders for its custody as it deems to be in the best interest of the child, it will be the responsibility of the agency to bring the case to the attention of the court, if necessary, and to ask for a hearing in order that it may appear to represent the child.

(b)

If the child remains in the home without adoption or without guardianship, the agency is responsible for referring the home to the proper accredited agency for boarding home license.

A. The recommendation shall be approval if the findings of the agency disclose:

1. That adoption is for the child's best interest and future welfare; or
2. That adoption will provide legal protection not otherwise available for the child, and for this reason should be recommended, although unfavorable recommendation might otherwise be made on basis of the facts disclosed; or

~~(a) Clarification~~

~~(b) Change in procedure as result in change in law. (Chap 638, Stat 1951)~~

A. In Independent Adoptions

The consent of the natural parents to the adoption of their child, if executed in accordance with the law, may not be withdrawn by them except with court approval. Request for approval of withdrawal may be made by motion, or the parent may file with the superior court in which the petition for adoption is pending a petition in writing setting forth the reasons for withdrawal of consent.

No filing fee is required for such a petition.

The clerk of the court shall set the matter for a hearing and shall give notice of the hearing to the SDSW, the persons petitioning to adopt the child, and the natural parents.

"The State Department of Social Welfare or the licensed county adoption agency shall, prior to the hearing ... file a full report with the court and shall appear at the hearing to represent the interests of the child.

"... At the hearing, the parties may appear in person or with counsel. The hearing shall be held in chambers, but the court reporter shall report the proceedings and his fee therefor shall be paid from the county treasury on order of the court. If the court finds that withdrawal of the consent to adoption is reasonable in view of all the circumstances, and that withdrawal of the consent will be for the best interests of the child, the court shall approve the withdrawal of the consent; otherwise the court shall withhold its approval. If the court approves the withdrawal of consent, the adoption proceeding shall be dismissed.

(a)

"Any order of the court granting or withholding approval of a withdrawal of a consent to an adoption may be appealed from in the same manner as an order of the juvenile court declaring any person to be a ward of the juvenile court." (Sec. 226a, Civil Code)

B. In Agency Adoptions

The relinquishment to the agency does not become final and binding until it is filed with the SDSW, and may be withdrawn at any time prior to the filing. After it is filed with the SDSW it may be rescinded only by the mutual consent of the parents surrendering the child and the agency accepting him for adoption placement.

area, the agent shall request the area office or county adoption agency where the parents reside to interview them. (See Sec. 2710-00, Requests for Service on Independent Adoptions.) (a)

2. If the parent is in a state prison in California, the agent to whom the case is assigned shall write to the warden or superintendent at the prison requesting:

- a. A summary of any history and tests
- b. That the parent be informed of the pending adoption
- c. That he be interviewed regarding his attitude toward the adoption
- d. That the agency be notified of his willingness or unwillingness to consent.

The Adult Authority, by resolution, has restored certain civil rights to inmates and parolees under its jurisdiction, including the right to consent to adoption. (b)

As the interview with the parent will necessarily be made by the SDSW area office or county adoption agency serving the county in which the prison is located, as soon as the necessary information is received from the warden, the agent to whom the case is assigned shall send a regular inter-office request, with full information to the area or county agency which renders the service. (c)

If the warden or superintendent reports that the parent is unwilling to sign the consent, the agent to whom the case is assigned shall send him a form for refusal to consent, with the request that he have the parent execute it. (b)

It is important that the agent make her contact with the warden or superintendent immediately in any case where a parent is in a state prison. If the matter is not cleared within a reasonable length of time (six weeks) after the request is made, follow up should be made by the agent.

- ~~(a) Change in terminology—substituting "area" for "district"—~~
- ~~(b) Change in procedure—~~
- ~~(c) Clarification—~~

3. That favorable factors involved (taking into consideration the length of time the child has been in the home, and the probable damage to the child by removal from the home) outweigh other unfavorable factors in the situation and merit recommendation of petition.
- B. The recommendation shall be denial if the findings of the agency disclose:
1. That the child is not adoptable at the time or that its adoptability cannot be determined.
 2. That adoption is not for the best interest of the child.
- C. The agency shall make a further recommendation of a suitable plan for the child:
1. If it recommends that the petition be denied.
 2. If the petitioners desire to withdraw their petition or dismiss the proceeding.

(a)

2370-00 THE NATURAL PARENTS
 (Rev.)

2370-00

A. Interviews with Parents

If the parents of the child are a married couple, the same type of information should be obtained for each, according to the outline for interview. If the husband is not the father of the child, no background information regarding him is necessary, but full information should be obtained from the mother regarding the background of the natural father. Information should also be obtained from her regarding her husband's knowledge of the birth of the child and his attitude toward the adoption. If the mother is willing to have him interviewed, the placement and adoption shall be discussed with him.

(b)

In all cases in which the child is born out of wedlock, or is not the child of the mother's husband, the natural father shall be interviewed if the mother will permit and if he is available. If this is not possible, the mother shall be asked to give whatever information she can regarding the natural father, whether he acknowledged paternity, and whether he may have adopted the child under Section 230 of the Civil Code.

1. If the parents (or parent) are in the state, they shall be interviewed personally. If they reside in the area in which the petition is pending, the interviews shall be arranged by the agent handling the case. If they reside in another

(c)

- ~~(a) Change in law (Chap 638 Stat 1951)~~
~~(b) Moved from another location in this section~~
~~(c) Change in terminology - substituting "area" for "district"~~

If the child has been previously adopted, information regarding the natural parents shall be obtained from the adoptive parents and from the court and agency records which are available. The adoptive parents shall be interviewed for information on the development of the child, his adjustment in their home, and the reason for the second placement.

Remaining portions of this section not relevant to changes and are omitted from the agenda.

2440-00 THE PARENTS - BASIC STUDY REQUIREMENTS
(Rev.)

2440-00

A. Counseling Service

The agency, recognizing the right of a child to live in his own home whenever possible, shall assume responsibility for seeing that the family ties are not unnecessarily broken and that help is given to the parents in thinking through the best plan for the child.

B. Names and Addresses

The agency shall secure the present name (maiden name), and any aliases; the usual and present address; and address where parent may be contacted at any time until relinquishment is final. The agency may clear with the Social Service Exchange. (See Sec. 2605-00)

(a)

Subsections C through J of this section not relevant to changes and are omitted from the agenda.

K. Relinquishment

If the child is legitimate and is being relinquished by both parents, the full information as outlined should be secured from each parent. If the child is illegitimate and the mother is willing to have the natural father interviewed, full information should be obtained from him. If she is not willing to have him interviewed, or he is not known, as much information as possible regarding him and his family should be obtained from the mother. (See Chapter on Consent and Relinquishment and Chapter on Case Work in Child Placing)

If a parent is an inmate or on parole from a state hospital, it will be necessary either to obtain a relinquishment from the parent if he is capable of giving it, or have the child declared free from his custody and control.

(b)

~~(a) To agree with proposed revision to Sec. 2605.00~~

~~(b) Clarification necessary because of change in law (Chap 638, Stat 1951)~~

3. If the parent is in a federal prison in California or in a state or federal prison in another state, the agent shall arrange to have him interviewed and his consent obtained according to instructions shown in Sec. 2710-00, Requests for Service on Independent Adoptions. The restoration of civil rights is not required in federal prisons and may not be required in other states.
4. If the parent is an inmate or patient of a state hospital, clearance with the hospital should be initiated promptly. (a)

Since the situation in every case will be different, the clearance will be based on the facts of the case. The following points, however, shall always be cleared:

- a. Date and place of commitment
- b. Terms of commitment
- c. Whether or not a guardian has been appointed; if so, the date and place
- d. Whether the person is on parole, or parole is contemplated
- e. Social history
- f. Diagnosis
- g. Prognosis
- h. Whether in the opinion of the superintendent of the hospital the patient is, or will be, capable of supporting or controlling the child in a proper manner
- i. Whether or not the parent's condition would have hereditary significance affecting the adoptability of the child (b)

If the prognosis is good or the superintendent states that in his opinion the patient is, or will be, capable of supporting and controlling the child in a proper manner, the consent of the parent to the adoption will be necessary.

If the report is that the parent will not be capable of controlling or supporting the child in a proper manner, and, if the adoption appears to be in the best interests of the child, the agent shall refer the matter to the attorney for the petitioners in order that he may file a petition to have the child declared free from the parent's custody and control.

5. If the parents are outside the state, the necessary information should be obtained if possible by requesting a social agency in the other state to interview them; otherwise, it may be obtained directly from the parents through correspondence.

~~(a) Change in procedure~~

~~(b) Moved from Sec. 2210-00~~

- c. If the child is a foundling, set forth the facts.
- B. When the SDSW receives notice from the county clerk that the petition has been filed, it will send to the agency in duplicate its waiver of further investigation. (Form AD 12, Report of SDSW)
- C. The agency shall file its report to the court attaching:
1. The original relinquishment
 2. The acknowledgment by the SDSW of the filing of the relinquishment (Form AD 11, Acknowledgment of the Filing of an Adoption Relinquishment.)
 3. The waiver of the SDSW (Form AD 12, Report of SDSW). (See Sec. 2122-00.)
- D. The agency shall complete and forward to the SDSW the individual record card, Form Adop 42 (R).

~~(a)~~~~(b)~~~~(c)~~~~(d)~~

- ~~(a) Change in law (Chap 638, Stat 1951)~~
- ~~(b) Change in procedure.~~
- ~~(c) Clarification.~~
- ~~(d) Correction of form number.~~

The agency should communicate with the hospital to learn the prognosis for the patient. If the report is that the parent will not be capable of controlling or supporting the child in a proper manner, the agency may proceed through its attorney to have a petition filed in the Juvenile Court under W&IC 701(f).

(a)

2476-00 COMPLETING THE ADOPTION
(Rev.)

2476-00

- A. At the conclusion of the supervisory period the agency should furnish the attorney for the adopting parents with the following information to be included in the petition:

Petitioners

1. Complete names of petitioners and address.
2. Statement that petitioners are ten years older than minor.
3. Petitioners are residents of _____ County and State of California.

Child

1. Name by which the child is known and name as shown on the birth certificate.
2. Name by which the child will be known upon completion of adoption.
3. Date of birth.
4. Place of birth.
5. If the child is twelve years of age or over, the fact that he consents to his adoption.

Parents

1. Statement of whether the child was born out of wedlock or in wedlock.
2. The child was relinquished to _____ Agency by the mother on _____ (date) _____ and by the father (if his relinquishment is necessary) on _____ (date) _____.
3. Action in lieu of relinquishment:
 - a. If the parent is deceased, the date and place of death.
 - b. If the parent has been deprived of custody and control (W&IC 701, Juvenile Court), the date and place of court order.

~~(a) Clarification necessary because of change in law (Chap 638, Stat 1951)~~

A. Final Report (See Sec. 2105-00)

1. A recommendation of approval shall be made when it is determined that the home is suitable for the child and that the child is a proper subject for adoption; or, if the child's adoptability is questionable, that the petitioners understand and accept the limitations and that the welfare of the child will be promoted by the adoption.
2. A recommendation of denial shall be made in every case in which the investigation during the 180-day period, or extension of time, fails to establish that the home is suitable for the child or establishes that the child is not a proper subject for adoption.

If there is to be a recommendation of denial, it should be discussed with the attorney before the report is filed.

3. A conditional recommendation of approval may be made if a legal determination is involved. It shall never be used, however, in order to escape responsibility for a definite decision if the matter is one involving judgment. Conditional recommendations may be made in the following instances:
 - a. If the child has been awarded to the mother by judicial decree and the father has willfully failed to contribute to its support for the period of one year when able to do so.
 - (1) If the petition alleges that the father's consent will be eliminated by court determination under Sec. 224, Civil Code, as having willfully failed to contribute when able; or

- (2) If copy of the citation (either for personal service or by publication) is submitted by the attorney.
- b. If the child is to be declared free from the custody and control of the parents.
 - (1) If an endorsed copy of the petition to declare him free from the custody and control of his parents is furnished to the SDSW; or
 - (2) If notice of the filing of such petition is received from the Juvenile Court.
- c. If there is a presumptive father, or more than one presumptive father, necessity for whose consent is to be eliminated by court action prior to the adoption hearing, if the facts disclosed by the investigation support the mother's claim that he is not the natural father.
- d. There may be other instances where a conditional recommendation of approval may be desirable. It should be made, however, only with the approval of the supervisor.

B. Supplemental Report

1. If a petition has been denied without prejudice, either because a statutory provision has not been met or because a determination could not be made at the time that the child was a proper subject for adoption, a supplementary report recommending that the petition be granted may be filed when the obstacle is cleared. It will not be necessary for a new petition to be filed if the original petition has not been heard. The information in the report must be current. If more than three months have elapsed since the last home visit, another visit must be made before the report is filed.
2. After the submission to the court of the complete report with recommendation, the SDSW or county adoption agency may be requested by the court to file a supplemental report giving additional information. Such report shall always be filed upon request.
3. The petitioners or their attorney may request the SDSW or county adoption agency to file a supplemental report in instances where its final report has recommended denial but the petition has never been heard, and in the succeeding years, circumstances have changed. The requested investigation and report may be made, though it may be desirable to request the attorney to file an amended petition, setting forth the new facts, and to submit a copy of the amended petition to the SDSW.

3. In submitting supplementary reports the following paragraph may be substituted:

"On the _____ day of _____ the State Department of Social Welfare filed its final report recommending that the petition be granted/denied.

The situation having changed, or additional information having been obtained, or the obstacle to the adoption having been cleared since the report was filed, the _____ now submits this supplemental report."
name of agency

(a)

Subsections B through F of this section not relevant to changes and are omitted from the agenda.

G. Recommendation

1. Approval

- a If the child is found to be a proper subject for adoption and the home suitable, the recommendation should be made without reservation.

Example:

"In view of the foregoing facts, the _____ name of agency finds that the minor is a proper subject for adoption and that the home of the petitioner is suitable. It therefore accepts the consent of the natural mother (or parents), consents to the adoption (if consent necessary), and recommends that the petition of _____ be granted."

(a)

(a)

- b If the minor's background is questionable or undesirable, as outlined under Sec. 2680-00, but the petitioners are desirous of consummating the adoption, and it has been determined that his welfare will be served by the adoption, no statement should be made as to the adoptability of the child.

Example:

"In view of the foregoing facts, the _____ name of agency finds that the welfare of the minor will be promoted by the adoption and that the home of the petitioners is suitable. It therefore accepts the consent of the natural mother (or parents), consents to the adoption (if consent necessary), and recommends that the petition of _____ and _____ for the adoption of _____ be granted."

(a)

(a)

~~(a) To apply to other agencies as well as SDSW.~~

~~* Revised since 2/25/53 County Meeting.~~

- C. Appeal Report (See Sec. 2150-00)
- D. Revocation Report (See Sec. 2155-00)
- E. Withdrawal Report (See Sec. 2157-00)
- F. Dismissal Report (See Sec. 2148-00)

(a)

2118-00 OUTLINE FOR COURT REPORT - INDEPENDENT ADOPTIONS
~~(Rev.)~~

2118-00

No information shall be included in the court report unless it is substantiated elsewhere in the case record through correspondence, questionnaire, narrative, or otherwise.

A. Opening Paragraph

1. The following paragraph should be used in all cases in which the final report is the first report filed with the court:

(b)

"The State Department of Social Welfare, in conformity with Sec. 226 of the Civil Code of California, presents its report in the matter of the adoption of _____, by _____ and _____."

or

"The _____, an agency (name of county adoption agency) licensed by the State Department of Social Welfare, in conformity with Section 226 of the Civil Code of California, presents its report in the matter of the adoption of _____, by _____ and _____."

(b)

2. The following paragraph should be used when a preliminary report (no longer used) has been filed in the past and the case is being re-opened:

"Petition in the matter of the adoption of _____ was filed in the Superior Court of _____ County, California on _____ by _____ and _____. On the _____ day of _____, a preliminary report was submitted by the State Department of Social Welfare."

"The State Department of Social Welfare (or " _____ an agency licensed by the SDSW") is now submitting its final report in accordance with Sec. 226 of the Civil Code of California."

(b)

~~(a) Change in procedure.~~

~~(b) Clarification.~~

"In view of the foregoing facts, the _____ name of agency finds that the home of the petitioners is suitable, but that the minor is not legally free for adoption. It therefore consents to the adoption (if consent necessary) and recommends that the petition of _____ and _____ for the adoption of _____ be granted, provided the court determines that the mother is entitled to sole custody of the child."

"In view of the foregoing facts, the _____ name of agency finds that the home of the petitioners is suitable, but that the minor is not legally free for adoption. It therefore consents to the adoption (if consent necessary) and recommends that the petition of _____ and _____ for the adoption of _____ be granted, provided the presumption of legitimacy is overcome by proper court action."

"In view of the foregoing facts, the _____ name of agency finds that the home of the petitioners is suitable and that the minor is a proper subject for adoption if no further consent is necessary. It therefore gives its consent and recommends that the petition of _____ and _____ for the adoption of _____ be granted, provided the court finds that the minor has not been legitimated under the provisions of Sec. 230 and that the natural father's consent is not necessary."

~~(a) To apply to other agencies as well as SDSW.~~
~~(b) Change in procedure as result of change in law (Chap. 638, Stat 1951).~~
~~* Revised since 2/25/53 County Meeting.~~

- c. If there is question as to the suitability of the petitioners' home but removal of the child is not desirable and the adoption is being approved, the statement as to the suitability of the home should be omitted but the statement should be made that "the minor's welfare will be promoted by the adoption."

Example:

"In view of the foregoing facts, the _____
name of agency
finds that the minor is a proper subject for adoption and that his welfare will be promoted by the adoption. It therefore recommends that the petition of _____ and _____
for the adoption of _____ be granted."

(a)

2. Conditional Approval

- a. If there is to be action under Sec. 224 in lieu of the father's consent.

Example:

"In view of the foregoing facts, the _____
name of agency
finds that the home of the petitioners is suitable, but that the minor is not legally free for adoption. It therefore recommends that the adoption be granted, provided necessity for the father's consent is eliminated under the provisions of Sec. 224 of the Civil Code."

(a)

- b. If action has been initiated, but not completed, to have the child declared free from custody and control of the parent or parents.

Example:

"In view of the foregoing facts, the _____
name of agency
finds that the home of the petitioners is suitable, but that the minor is not legally free for adoption. It therefore gives its consent and recommends that the petition of _____ and _____ for the adoption of _____ be granted, provided the minor is declared free from the custody and control of his natural mother and/or father, or presumptive father, under Sec. 701 of the Welfare and Institutions Code."

(a)

- c. If necessity for consent of the presumptive father or legal father is to be eliminated by court action.

~~(a) To apply to other agencies as well as SDSW.~~

~~* Revised since 2/25/53 County Meeting.~~

a written statement shall be obtained from the agency which accepted the relinquishment, certifying that the relinquishment was executed in accordance with the laws of the jurisdiction, and giving its approval to the adoption (Form Adop M 76). The relinquishment and the agency's certification shall be submitted with the court report in lieu of the parents' consents to the adoption by the petitioners.

(a)

2245-00 WITNESSING CONSENT OR RELINQUISHMENT
(Rev.)

2245-00

A. Consent

1. In an independent adoption the consent of the parent must be signed in the presence of an agent of the SDSW or of a licensed public adoption agency. (Sec. 226 Civil Code)
It is recommended that the signature of the natural parent be witnessed by another person also, if possible.
2. In an adoption by a stepparent, where one natural or adoptive parent retains his or her custody and control of the child, the consent of either or both parents must be signed in the presence of a county clerk or probation officer of any county of the state. (Sec. 226, paragraph 7, Civil Code)

Exceptions:

Non-residents: If the father or mother of a child to be adopted is outside the State of California, at the time of signing consents, his or her consent may be signed before a notary or other person authorized to perform notarial acts, and, in such case, the consent of the SDSW or county adoption agency will also be necessary but such consent shall not be necessary where the adoption is by a stepparent and one natural parent retains custody and control of the child. (Sec. 226, paragraph 8, Civil Code; AGO 7861, 8548, 9116)

(b)

If the consent is signed before a notary in another state, it is necessary to have attached to the consent a certificate from the clerk of a court of record of the county or district where such acknowledgment is taken that the officer certifying to the same is authorized by law to do so, and that the signature of said officer to such certificate is his true and genuine signature. (Sec. 1189, Civil Code; AGO 7861)

Parent in Military Service: If the parent of a child to be adopted is in military service outside the State of California, his consent may be signed before his commanding officer in accordance with the provisions of Sec. 1183.5, Civil Code. (See Appendix 13--Proof and Acknowledgment of Instruments, Sec. 1183.5, Civil Code)

~~(a) Moved from Sec. 2225-00.~~

~~(b) Change in law (Chap. 637, Stat. 1951)~~

If the determination of a parental relation is necessary before an adoption can be completed, it must be by a separate proceeding from the adoption. In an independent adoption, however, the matter can be heard by the court at the time of the adoption hearing.

(a)

2225-00 CONSENT OF SDSW OR CALIFORNIA ADOPTION AGENCY
(Rev.)

2225-00

A. In an Independent Adoption

1. In all cases in which the consent of the natural parent or parents is not necessary, the SDSW or county adoption agency shall, prior to the hearing of the petition, file its consent to the adoption with the clerk of the Superior Court of the county in which the petition is filed.
(Sec. 226, paragraph 4, Civil Code)

If the parent or parents whose consents are necessary die after signing consent but before the adoption hearing, the consent of the SDSW or county adoption agency will be necessary. The consent of the parent or parents may be filed with the court report as evidence of the parents' wishes, but the adoption cannot be granted legally on the basis of the parents' consent alone. See Sec. 2105-00 for procedure on filing the report.

2. If the father or mother of a child to be adopted is outside the State of California, his or her consent may be signed before a notary and in such case the consent of the SDSW or county adoption agency will also be necessary.
(Sec. 226, paragraph 8, Civil Code)

(c)

B. In an Agency Adoption (Relinquishment)

(b)

If the child has been relinquished to a licensed adoption agency in California and placed by it, the agency must join in the petition for adoption and consent to the adoption. The consent may be included in the allegations of the petition. (See Form for Petition in Agency Adoption)

2226-00 CONSENT OF OUT OF STATE AGENCY
(New)

2226-00

If the child has been relinquished by his parents to an authorized agency in another jurisdiction, but the petition has been filed in California and is being investigated by the SDSW or a county adoption agency,

(a)

(a)

(a)

(a) Clarification.

(b) Revised for clarification and moved to Sec. 2226-00.

(c) Change in law (Chap. 637 Stat 1951).

(d) Moved from Sec. 2225-00.

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of the person to the sole custody of the child, and such person's sole right to consent or relinquish. It is not conclusive evidence of that fact, however, and may be refuted by other verified information.

If there is a presumptive father or more than one presumptive father of the child, consent or relinquishment, as the case may be, shall be obtained from the presumptive father or fathers unless a court order is obtained refuting the presumption of legitimacy. (a)

If there is no consent or relinquishment from the presumptive father or fathers and no court action has been taken to refute the presumption of legitimacy, a recommendation of approval can not be given. Procedure in such cases shall be as follows: (a)

- A. In an independent adoption, as soon as the investigation indicates that there may be a question regarding the legal status of the child and that the mother desires to consent as having sole custody, there shall be an immediate clearance with the attorney calling to his attention the necessity for some action to clear parental relationship. The advantage of having this determination precede the final report shall be discussed with him, i.e., that there be no delay or possible cloud on the adoption. It is also important to have this discussed at an early point in the investigation, as only the mother or father may question the parental relationship and the attorney will wish to take action while the parent is available. (AGO 7948, NS 3778)

It is preferable that a copy of the court order determining paternity or overcoming the presumption of legitimacy be submitted before the final report is filed so that a definite recommendation of approval can be made by the department or county adoption agency.

If such an order has not been obtained, however, conditional approval may be given in the court report if the attorney states that he will have a hearing on the question prior to the adoption hearing and the facts disclosed by the investigation by the department or county agency support the mother's claim that she is entitled to sole custody. (See Sec. 2160-00)

- B. In an agency adoption the child should not be placed in an adoptive home until it is legally free for adoption.

2410-00 LICENSING PROCESS
(Rev.)

2410-00

A. Legal Basis

1. No person, association, or corporation shall, without first having obtained a written license or permit therefor from the SDSW or from an inspection service approved or accredited by the SDSW

(a) Clarification.

B. Relinquishment:

1. To an agency in California

A relinquishment to an agency in California must be signed before two subscribing witnesses and acknowledged before an authorized official of the licensed adoption agency accepting the relinquishment.

Exceptions:

Non-residents: If the parent relinquishing the child is outside the State of California at the time of signing relinquishment, it may be signed before a notary public on a form prescribed by the agency and previously signed by an authorized official of the adoption agency, signifying the willingness of the agency to accept the relinquishment. (Sec. 224m, Civil Code)

If the parent is in California but outside the county or area in which the agency accepting the relinquishment operates, the relinquishment may be signed before a representative of the SDSW or a licensed adoption agency, provided it has been previously signed by an authorized official of the agency signifying the willingness of the agency to accept the relinquishment. (a)

Parent in Military Service: If the parent of a child is in military service outside the State of California, his relinquishment may be signed before his commanding officer in accordance with the provisions of Sec. 1183.5, Civil Code. (See Appendix 13--Proof and Acknowledgment of Instruments, Sec. 1183.5 Civil Code)

2. To an agency outside California

A relinquishment or surrender to an agency outside California, to be acceptable in California, must have been executed in accordance with the laws of that state or country.

See Sec. 2250-00 for instructions regarding witnessing signature by mark.

The statement of the person signing consent before an agent of the SDSW or a county adoption agency or a relinquishment duly acknowledged before an authorized official of a licensed adopting agency, reciting that she is entitled to sole custody of the child is prima facie evidence of the right (a)

in accordance with Chapter 5 of Part I of Division 3 of Title 2 of the Government Code, and the department shall have all powers granted therein. (Sec. 1624, Welfare and Institutions Code)

- g. Any person other than a parent or any organization, association, or corporation that, without holding a valid and unrevoked license or permit to place children for adoption issued by the State Department of Social Welfare, places any child for adoption is guilty of a misdemeanor. (Sec. 224q, Civil Code)
- h. Any person or organization that, without holding a valid and unrevoked license or permit to place children for adoption issued by the State Department of Social Welfare, advertises in any periodical or newspaper, by radio, or other public medium, that he or it will place children for adoption, or accept, supply, provide or obtain children for adoption, or that causes any advertisement to be published in or by any public medium soliciting, requesting, or asking for any child or children for adoption is guilty of a misdemeanor. (Sec. 224p, Civil Code)

B. Functions of an Adoption Agency

- 1. Connected with Placement---(Relinquishment Program--public or private agency.)

To find homes for and place for adoption children legally relinquished by parents for adoption. This would include:

- a. Service to natural parents considering adoption plan.
- b. Study of the child to determine whether he is adoptable, and may include accepting the child and responsibility for care.
- c. Acceptance of relinquishments of children. This includes responsibility for care, covering housing, food, clothing, personal needs, medical and dental services, and psychiatric services when necessary.
- d. Pre-placement studies of homes of applicants for children.
- e. Selection of home and placement of child.
- f. Supervision of child in the home.
- g. Approval of adoption.
- h. Completing the adoption through court action.

Maintain or conduct any institution, boarding home, day nursery, or other place for the reception or care, of children under sixteen years of age, nor engage in the business of receiving or caring for such children, nor receive nor care for any such child in the absence of its parents or guardian, either with or without compensation.

(a)

- b. Engage in the finding of homes for children under sixteen years of age, or place any such child in any home or other place, either for temporary or permanent care or for adoption. (Sec. 1620, Welfare and Institutions Code)
- c. Any county may apply for, and the SDSW may issue to any county officer or county agency designated by the county making the application, a license under Chapter 1 of Part 3 of Division 2 of the Welfare and Institutions Code, to perform the home-finding and placement functions specified in subdivision (b) of Section 1620 of said code, to investigate, examine, and make reports upon petitions for adoption filed in the superior court in that county, to act as a placement agency in the placement of children for adoption, to accept relinquishments for adoption, and to perform such other functions in connection with adoption as the SDSW deems necessary, or to do any of them.

A license issued to a county officer or agency pursuant to this section constitutes the holder thereof a "county adoption agency" and the holder shall be deemed to be an "organization" within the meaning of those terms as used in this chapter. (Section 225m, Civil Code)

- d. The SDSW shall make such rules and regulations as it deems best for the government of any institution or for the performance of any service specified in W&IC, and the SDSW may (by a member or any duly authorized representative) inspect and examine any such institution, home, or place, or the performance of any such service. (W&IC 1621)
- e. A permit or license issued by the SDSW or by an approved and accredited inspection service shall expire 12 months from its date of issuance. (W&IC 1623)
- f. Application for renewal of a permit or license shall be filed 10 days prior to its expiration each year. If the application is not so filed, the license or permit is automatically canceled. Where a hearing is held under this section, the proceedings shall be conducted

~~(a) To bring section up to date.~~

If medical care is needed before the child is relinquished, the parents' authorization for it will be necessary. After it accepts the relinquishment and files it with the SDSW, thus assuming the rights and responsibilities of parenthood, the agency will authorize medical care or surgery. (Attorney General's Opinions NS1600 and 47/187.)

2. The agency shall obtain reports from the physician attending the birth of the child (in all cases of infants and as deemed advisable in cases of older children) concerning complications of pregnancy and birth, condition of the child, and reports of tests and examinations. (See Secs. 2655-00, 2660-00, and 2665-00)
3. A report from the physician attending the child shall be obtained prior to adoption placement, including a report of a blood test for syphilis. If the child is an infant and the mother's prenatal serological test for syphilis and clinical examination are negative and there is no history of syphilis known to the agency, the serological test for syphilis on the child may be omitted. If the child is not an infant and the history shows that he has been under medical care, reports from all physicians rendering such care should be obtained. (a)
4. Infants in adoptive homes shall have continuous medical supervision from a physician, skilled in the diseases and treatment of children. The agency shall obtain a report on an examination made in the month prior to the agency's approval of the adoption. (a)
5. Older children in adoptive homes shall have physical examinations at least annually, or oftener, as recommended by the physician, or as the child's development and condition indicate. The agency shall obtain a report on an examination made in the month prior to the agency's approval of the adoption. (b)

Remaining portions of this section not relevant to changes and are omitted from the agenda.

2600-00 AUTHORIZATIONS
(Rev.)

2600-00

A. From Natural Parents

Authorizations shall be obtained from the parent or parents for the release of medical and social information: (a)

~~(a) Clarification.~~

~~(b) Change in policy.~~

~~* Revised since 2/25/53 County Meeting.~~

2. Connected with independent adoptions--(Consent adoptions--public agency only)

To investigate independent petitions referred to the agency for investigation by the State Department of Social Welfare. This would include:

- a. Study of child and his parents to determine whether he is a proper subject for adoption.
- b. Study of adopting parents and their home to determine whether it is suitable for the child.
- c. Acceptance of consents of natural parents.
- d. Preparation of report to the court recommending granting or denial of the petition.

(For additional information see Chapter on Investigation of Independent Adoptions.)

3. Services on Intra- and Inter-State Adoption Matters

(a)

Remaining portions of this section not relevant to changes and are omitted from the agenda.

2430-00 THE CHILD - BASIC STUDY REQUIREMENTS

2430-00

~~(Rev.)~~

A. Birth Information

The agency shall obtain and review the birth certificates as soon as possible and shall compare the name, date, place of birth, names of parents, and number of other children born to the parents with information obtained from the parents and other sources. If the investigation discloses that the child's birth was not registered within one year after birth, the agency may accept, in lieu of the birth certificate, other verifications of the identity of the child, such as a baptismal certificate, hospital record, other documentary evidence, or affidavits of persons having knowledge of the time and place of the birth of the child. (See Sec. 2615-00)

Discrepancies shall be reconciled if possible and those which can not be reconciled shall be reported in the narrative and in the court report.

B. Medical Care, Reports, and Examinations

- 1. Infants shall have continuous medical supervision, under a physician skilled in the disease and treatment of children.

(a)

~~(a) Clarification.~~

Complete information regarding the legal status of the child shall be obtained to show whether the child is legitimate, illegitimate, orphan, half-orphan, left without means of identification, declared free from custody and control of his parent or parents, or a child having a legal guardian of his person and/or estate.

If a child has been abandoned without provision for its identification, abandonment proceedings under Section 701 of the Welfare and Institutions Code will not be necessary. If there is any doubt as to the status of the child, however, either by reason of the circumstances of the finding, or if it appears that sufficient effort has not been made to establish its identity, an adjudication of abandonment shall be required. (AGO NS5322) (See Appendix 6)

~~(a)~~

~~(b)~~

If the child has been declared free from the custody and control of his parents in an action in another jurisdiction, an authenticated copy of the court order will be necessary; that is, the county clerk should certify that the order is a true copy of the original and judge should certify that the clerk is the clerk of the court and has the custody of the document.

In connection with the adoption of every illegitimate child, consideration shall be given to the question of whether there has been an adoption under Sec. 230, Civil Code. (See Sec. 2070-00)

If there is an indication that the child may have been legitimated under Sec. 230, or if the alleged father claims joint custody, he should be interviewed. If, during the interview, he says that he has not adopted the child, nor acknowledged it as his own publicly, a report of his statement may be included in the court report to show that he does not have joint custody and that his consent is not necessary.

If the natural father claims to have adopted the child under Sec. 230, but is willing to give his consent to the adoption, consents may be taken from both parents on the joint custody form. If he is unwilling to consent, the investigation and report should cover thoroughly all five points listed in the section, which would include an interview with the wife of the natural father, if he is married, and probably interviews with other members of his family. While refusal on his part to allow his wife to be interviewed would be indicative of his failure to meet all conditions, it should not be considered conclusive evidence of the fact. The agent should get as much information as possible and report all the facts to the court. In such an instance the agent would proceed on the basis of consent signed by the natural mother only.

~~(a) Simplification.~~

~~(b) Cross reference to Appendix added.~~

~~* Revised since 2/25/53 County Meeting.~~

1. By any welfare agency, public or private, having such information (Form Adop M52).
2. By the mother's physician (Form Adop M49).
3. By the Veterans' Administration if the parent is a veteran holding a medical discharge (Vet. Admn. Form 3288).

Additional authorizations shall also be obtained as follows:

1. To authorize petitioners in an independent adoption to provide medical or surgical care, including anesthetics for the child pending adoption (Form Adop M65). Two copies of the form should be signed and both should be sent immediately to the petitioners. The narrative and correspondence should show that the authorization has been signed and transmitted to the petitioners. (a)
2. To authorize the adoption agency, when the child is accepted by it, to provide medical and surgical care for the child prior to relinquishment. (b)

* B. From Petitioners on Independent Adoptions (a)

Authorizations shall be obtained from the petitioners:

1. For employment verification (Form Adop M21)
2. For report from child's physician (Form Adop M15)
3. For report from petitioners' physician (Form Adop M26)
4. For release of medical and social information by hospital, clinic, or social agency (Form Adop M51)
5. For release of medical information by Veterans' Administration if the petitioner is a veteran holding a medical discharge. (Vet. Admn. Form 3288)

The authorizations and the questionnaire (Form Ad9-Rev) regarding the petitioners and the child shall be mailed or taken to the petitioners immediately after the petition is received.

~~(a) Clarification.~~

~~(b) More detailed instructions.~~

~~* Revised since 2/25/53 County Meeting.~~

Preceding portions of this section not relevant to changes are omitted from the agenda.

C. Setting the Case for Hearing

It is the responsibility of the petitioners' attorney to set the case for hearing, but if the recommendation is denial, the attorney may neglect or refuse to set it. If so, it shall be the responsibility of the State Department of Social Welfare or county agency to set it if a hearing is necessary.

If notice of hearing is not received within thirty days after the filing of the report, and a hearing is necessary, the SDSW or county adoption agency should arrange for the hearing. The agent should consult with the legal counsel for the agency to determine whether the agent or legal counsel will discuss the matter with attorney for the petitioners and, if necessary, will contact the county clerk requesting that the case be set for hearing, and that notice of hearing be given to all parties.

If denial is recommended because the child is not legally free for adoption but legal action is to be taken, (such as action to declare the child free from custody and control of his parents) and the SDSW or county adoption agency has recommended as a suitable plan that the child remain in the home of the petitioners, it will not be necessary to set the case for a hearing. Instead the agency should notify the attorney and the petitioners that it will file a supplemental report recommending the adoption whenever the legal obstacle has been cleared and it is so notified.

If denial is recommended because more time is needed to observe the development of the child or to determine the suitability of the home, decision should be made on the basis of the particular situation as to whether or not a hearing is necessary at the time in order to carry out the plan recommended for the child.

In any situation in which the plan is for the child to remain in the home, unless the petitioners have guardianship of the child or are relatives excluded from boarding home licensing requirements, the petitioners shall be referred to the proper accredited agency for boarding home licensing and the accredited agency shall be notified.

D. Court Appearance

A representative from the SDSW or county adoption agency and/or legal counsel for the agency shall appear to represent the child at all hearings on adoption petitions where the court report has recommended that petition be denied and at all hearings on dismissals if it is necessary in order to protect the interests of the child.

2148-00 COURT REPORT FOLLOWING DISMISSAL OR PETITIONER'S PLAN TO DISMISS

2148-00

1. Section 226b provides that whenever in any adoption proceeding the petitioners desire to withdraw the petition for the adoption or to dismiss the proceeding, the county clerk shall notify the SDSW of the action and the SDSW or county adoption agency shall file a full report with the court recommending a suitable plan for the child. Notwithstanding dismissal of the petition, the court may retain jurisdiction over the child for the purpose of making such order for the custody of the child as it deems best.

In actual practice, the notification from the county clerk comes after the petition is dismissed. Information that the petitioners intend to dismiss the petition usually comes from the attorney. A final report to the court shall be filed in either instance, but the recommendation will differ according to the circumstances.

- a. If the child remains in the home, it will be necessary to recommend a suitable plan for him, which will probably include referral to the proper agency for a foster home license because of the presence of an unrelated child in the home. There may be a referral also to some other agency for service.

Although the welfare of the child is the determining factor in releasing information, the agency should exercise care in the investigation to protect all parties, particularly the natural parents, in requests which it may make to other agencies, institutions, or individuals for information regarding the proposed adoption.

Care should be exercised in requesting school records, even though the parent may have signed an authorization for release of information. In requesting school records, it is not necessary to state that the mother has had a child or that the request is in connection with an adoption.

B. Use of Information Given Confidentially

If information has been given on written authorization by the parent or petitioners, it may be used in the court report or released to other agencies as provided in Section 227aaa of Civil Code.

If information is obtained from any other agency or any individual other than a reference, without authorization, it should be treated as confidential and should not be included in the court report without the permission of the informant.

C. Handling Requests for Information on Independent Adoption Proceedings

Requests for information on adoption cases are sometimes received from attorneys who are not listed as the attorney for the petitioners or who are not known to represent the natural parent. Since adoption records are confidential, information should not be furnished to an attorney or any other person unless his right to receive the information has been definitely established.

Any attorney requesting information from a record, asking for an action number, or even inquiring whether there is an action pending or whether there has been one, should be asked to make his request in writing stating whom he represents and the purpose for which he is requesting the information.

If it is requested for a purpose other than the adoption, it will be necessary to have a signed authorization from the party whom it concerns.

This, of course, would not apply to the attorney who telephones that he has filed an adoption petition and wishes to know whether notice of pendency has been received.

(a)

(1) If the petition has actually been dismissed, the only recommendation necessary will be that of a suitable plan.

(2) If the petition has not been dismissed, there shall be the additional recommendation that the petition be denied.

b. If the child has been placed in another home, the procedure in "a" should be followed.

c. If the child has been reclaimed by the parent, the fact that the parent who is entitled to the custody of the child has reclaimed him should be regarded as a suitable plan. This would cover those situations in which no investigation or study has been made, but it has been determined that the child has been removed from the home. The report should indicate the extent of the study or the lack of any study.

(a)

(1) If the petition has been dismissed, a report should be filed giving the facts which are known. It will not be necessary to recommend denial.

(2) If the petition has not been dismissed, there shall be the additional recommendation that the petition be denied.

2. If a parent's petition to withdraw consent has been granted and the adoption petition dismissed, as provided for in Section 226a, the report on the petition to withdraw will be considered as the report on the adoption petition. If the court does not dismiss the petition, a brief report should be filed giving the outcome of the petition to withdraw and recommending that the adoption be denied.

2170-00 CONFIDENTIAL INFORMATION

2170-00

(Rev.)

A. Release of Information in Case Records

If any of the following public or private welfare agencies specified in Section 227aaa of the Civil Code: (1) the Juvenile Court, (2) any county welfare department, (3) any public welfare agency, or (4) any private welfare agency licensed by the SDSW requests information concerning an adoption petition, either pending at the time or closed, the information may be furnished to it if the agent and supervisor consider that the welfare of the child will be promoted thereby. Pertinent information may be given either verbally or in writing. The narrative shall show what information was given, when, and to whom.

(a) Clarification of Policy

* Revised since 2/25/53 county meeting

2. The SDSW provides separate forms for stepparent adoptions, for independent adoptions, for use of parents residing in California, and for parents residing outside California.
3. The SDSW or county adoption agency may furnish the attorney with forms for use outside California, but the preferred procedure is for the SDSW or county adoption agency to secure such consents. It will accept a consent of a non-resident parent on a form other than that issued by the SDSW if the consent is properly executed and covers all essential points.

B. Relinquishment

1. There is no provision in the law regarding the form of the relinquishment which must be executed by the parent surrendering a child to an agency. Forms for use by adoption agencies are therefore prescribed by the SDSW.
2. If the parent resides outside the state at the time of relinquishing the child to an adoption agency in California, the relinquishment may be signed before a notary on a form prescribed by the SDSW and previously signed by an authorized official of the agency signifying the willingness of the agency to accept the relinquishment.
(Sec. 224m of the Civil Code)
3. The parent while in one county may sign a relinquishment of a child to an adoption agency in another county. Such relinquishment may be signed before a representative of the SDSW or an adoption agency licensed by the SDSW on a form previously signed by an authorized official of the agency accepting the child, signifying its willingness to accept the relinquishment.

C. Use of Sole Custody Forms

The "sole custody" forms (Form AD 502, AD 502-A, and AD 503 for Relinquishment and AD 1A for Consent) are applicable only to the unmarried mother. The mother signing on one of these forms claims sole custody under Section 200 of the Civil Code, which provides that "the mother of an illegitimate unmarried minor is entitled to its custody, services, and earnings."

If, after the mother signs on the sole custody form, it is determined that her child is in fact legitimate, the relinquishment or consent will still be valid. It will not be necessary to have her sign another form but the father's relinquishment or consent will be necessary.

(a)

*

~~(a) Clarification~~

~~* Revised since 2/25/53 county meeting~~

~~(Rev.)~~

Subsections A and B of this section not relevant to changes and are omitted from the agenda.

C. Agency Fees - Public Agencies

There are no fees for the services of the SDSW or county adoption agency in investigating an independent adoption, and no fees for the services of the county adoption agency to natural parents or adopting parents in placing a child relinquished to it.

* The county adoption agency after filing its report recommending the adoption may require the adopting parents to reimburse it, up to \$200, for the cost of the care of the child from the time of relinquishment or action in lieu of relinquishment until placement for adoption. (Sec. 225p, Civil Code) (a)

If adopting parents voluntarily offer to repay the agency for costs incurred prior to relinquishment, or for costs in excess of \$200 incurred subsequent to relinquishment, the agency may accept the payment. The payment, or promise to pay for costs of care in excess of the amount which may be required, must not in any way influence the selection of the home in which the child is placed. (b)

D. Agency Fees - Private Agencies

A private agency may charge a fee for service, based upon an actual sharing of costs of service, and clearly defined as such at the time of the application by the prospective adoptive parents.

2235-00 FORM OF CONSENT OR RELINQUISHMENT

2235-00

~~(Rev.)~~

A. Consent

1. In every adoption where the parents' consent is necessary, either independent or stepparent, the consent shall be on a form prescribed by the SDSW, except if an agency licensed by the SDSW is a party to the adoption. (Secs. 224m, 227, Civil Code)

~~(a) Clarification~~~~(b) Informational~~~~* Revised since 2/25/53 county meeting~~

~~(Rev.)~~

The following shall be verified:

A. Natural Parents

1. Marriage of parent or parents at time of child's birth.
2. Previous marriages of mother, and termination of each by death, divorce, or annulment.
3. First marriage of mother subsequent to child's birth.

B. Petitioners or Applicants

1. Present marriage
2. Previous marriages of both
3. Termination of each previous marriage by death, divorce, or annulment.

It is sometimes impossible for petitioners to take steps to establish the validity of their marriage if the dissolution of a previous marriage cannot be established, either by verification of divorce or proof of death. In those instances, the facts disclosed by the investigation should be reported and, if the home is otherwise suitable, approval recommended provided the court determines that the marriage is a valid one.

(a)

The father or mother of a child having sole custody because of the death of the other parent should sign on the so-called joint custody form. (Form AD 501, AD 501-A, and AD 503-A for Relinquishment, and AD 1 for Consent)

(a)

2240-00 CONTENT OF CONSENT OR RELINQUISHMENT
(Rev.)

2240-00

A. Consent:

It is desirable, before filling out the consent form, to have at hand a copy of the petition for adoption and a copy of the child's birth certificate in order that complete and accurate information may be recorded on the consent before signature.

It is the responsibility of the agent taking the consent to see that the full names of the petitioners appear on the consent at the time the parent signs the forms. The information shall be made available to her and she shall not be prevented from reading the names on the consent. The agent shall not refuse to witness the consent even though the parent may not choose to read the names.

If the birth certificate and petition for adoption, or either of them, is not available at the time the consent is signed by the parent, it is advisable to have the parent fill in the information required.

The consent signed by a natural parent agreeing to the adoption of her child by a married couple should not be used in completing the adoption by one of them alone. The parent, if unwilling to have the child adopted by a single person, could probably upset the decree if she wished to do so.

(a)

B. Relinquishment:

Information on the relinquishment for the parents' signature may be taken from the child's birth certificate or the hospital record.

The name of the agency to which the child is being relinquished shall appear on the form when it is executed by the parent.

1. For child born in California

For a child born in California whose birth was properly registered within one year after the date of birth, a corrected birth certificate can be issued after adoption, upon completion of the Certificate of Adoption, which is filed with the county clerk in the county where the petition was filed. (Sections 10250 - 10254, Health and Safety Code.) The corrected certificate will bear the name of the child as shown in the adoption decree and the name of the adopting parents as the natural parents, but no reference will be made to the adoption of the child.

2. For child born in another state, District of Columbia, or a U.S. Territory

A number of other states have similar laws regarding birth registration following adoption. Others, without such enabling legislation, will as a general rule issue a corrected certificate in the new name of the child if a letter explaining the California law and requesting the new certificate is sent to them.

3. For child whose birth has not been registered

If there is no original record of birth on file, the certificate of the decree of adoption shall constitute a record of delayed birth registration, provided that the decree of adoption contains a statement of the date and place of birth. (Section 10251.5, Health and Safety Code.)

4. For child born in a foreign country

A delayed birth certificate will be issued by the State Department of Public Health with the name of the child and parents as shown in the adoption decree, as in 3 above.

AREA OFFICES

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SACRAMENTO OFFICE
GILBERT 2-4711
924 NINTH STREET
14

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
14

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

March 31, 1953

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:

616 K Street
Sacramento 14

Dear Mr. Jordan:

Attached are three copies of regulations which will be issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 489(OAS)

These regulations were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 103.5, 114b, 115, and 116 on March 27, 1953, and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

C. I. Schottland
Charles I. Schottland
Director

Attachments

FILED

in the Office of the Secretary of State
of the State of California

MAR 31 1953

At 3 P. M.
FRANK M. JORDAN, Secretary of State
By *Charles I. Schottland*
Assistant Secretary of State

Certified as a Regulation (or
as Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schouland
(Signature)

Director
(Title)

3-31-53
(Date)

W41 103,103.5,1146,115,116

CHARLES I. SCHOTTLAND
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14

April 8, 1953

DEPARTMENT BULLETIN NO. 489 (OAS)

TO: COUNTY WELFARE DEPARTMENTS
COUNTY BOARDS OF SUPERVISORS
COUNTY AUDITORS

Subject: Federal Study of Needs,
Income, Resources, and Social
Characteristics of OAS Recipients

The Federal Social Security Administration is conducting a special study of the needs, income, resources and social characteristics of Old Age Assistance recipients, to provide current data on a nation-wide basis, similar to that obtained from the "Income and Living Arrangements" study, made in 1944. Participation in the study is required of all states.

In California it will be necessary to have schedules completed on one percent of the OAS caseload. The required information shall be reported on Form ^{Temp. 358} in accordance with "Instructions for Form ^{Temp. 358} Needs, Incomes, Resources, and Social Characteristics of Recipients of Old Age Security" for all cases receiving OAS payments in April 1953, whose state numbers end in "77."

A supply of schedules and instructions will be forwarded to each county.

It is most important that the schedules be carefully reviewed before submission to the State Department of Social Welfare, to insure that all relevant items are completed and that the entries in the various items are consistent with each other. Such review will materially reduce the number of documents that may have to be returned to counties because of errors or omissions.

Questions regarding the study and schedules should be directed to the SDSW Bureau of Research and Statistics.

The completed schedules shall be sent to the Bureau of Research and Statistics, State Department of Social Welfare, 616 K Street, Sacramento 14 on or before May 15, 1953.

FILED

in the Office of the Secretary of State
of the State of California

Very sincerely yours,

C. I. Schottland

Charles I. Schottland
Director

MAR 30 1953

At _____
FRANK M. JORDAN, Secretary of State
By *[Signature]*
Assistant Secretary of State

Certified as a Regulation (or
as Regulations) of the

Dept of Social Welfare
(Name of State Agency)

P. Schoutland
(Signature)

Director
(Title)

3-31-53
(Date)

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Earl Warren
Governor

STATE HEADQUARTERS

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14

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

March 31, 1953

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:
616 K Street
Sacramento 14

Dear Mr. Jordan:

Attached are three copies of regulations which will be issued by the State Department of Social Welfare revising the Standards for Established Camps for Children in California.

These regulations were adopted by the State Social Welfare Board on March 27, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Section 103 and are being filed in accordance with Section 11380 of the Government Code.

These regulations are effective May 1, 1953.

Very sincerely yours,

C. I. Schottland
Charles I. Schottland
Director

Attachments

FILED

in the Office of the Secretary of State
of the State of California

MAR 31 1953

At 3 P. M.
FRANK M. JORDAN, Secretary of State
By *Charles I. Schottland*
Assistant Secretary of State

STANDARDS FOR ESTABLISHED CAMPS
FOR CHILDREN IN CALIFORNIA

FILED

in the Office of the Secretary of State
of the State of California

MAR 30 1953

At _____ o'clock _____ M.

FRANK M. JORDAN, Secretary of State

By

[Signature]
Assistant Secretary of State

C. Program

In order to achieve these objectives, every camp ordinarily emphasizes outdoor living, utilizing the special advantages of its particular natural location to the greatest extent possible. Individual programs will of necessity vary according to the specific objectives of the camp, the special features of the location and the individual interests and abilities of the group served.

Within these individual differences, however, each camp should provide a well-rounded program, including both vigorous physical activities and quiet creative opportunities. There should be a balance between activity and rest, between organized group activities and individual pursuits. At least nine hours sleep at night and a one-hour rest period after lunch should be scheduled. The afternoon rest period should include lying down and napping for younger campers, older campers should be permitted to pursue quiet individual activities such as reading, letter writing, etc.

The schedule should be flexible and permit free participation by individual campers according to their interests and abilities. Participation by campers in planning programs within the broadest limitations possible is desirable.

All program activities shall be properly supervised by competent counselors. Individual campers must be given help, as needed, in participating in activities and using the group experience.

III. ORGANIZATION AND ADMINISTRATION

A. Organization

The organization of every camp must be such that legal responsibility is clearly defined and administrative authority specifically placed.

1. Proprietary Camps

In private camps operated for profit the owner is legally responsible for debts and obligations and for administration. Where the owner employs a director to administer the camp, there should be a clear understanding as to delegation of administrative responsibility and authority.

2. Non-profit Camps

Camps operated on a non-profit basis should be incorporated under the non-profit corporation laws of the State of California (Sections 10200-10208 Corporations Code). The camp need not be separately incorporated if it is operated as one function of a larger non-profit corporation. Regardless of the type of organization, ultimate responsibility for the camp should be vested in a legally responsible governing board, or in a committee deriving authority from the governing board of a larger organization.

This board or camp committee should have the following responsibilities:

STANDARDS FOR ESTABLISHED CAMPS FOR CHILDREN

I. INTRODUCTION

The State Department of Social Welfare under Section 1620 of the Welfare and Institutions Code has responsibility for licensing established camps caring for children under sixteen years of age in the absence of their parents.

The following standards have been developed over a period of years with the guidance and assistance of the Camp Advisory Committee of the State Department of Social Welfare, which includes representatives from all groups and agencies (public and private) with interest in camping in California. It is recognized that good camping is done in a wide variety of settings and facilities, in primitive camps completely out-of-doors, in tent camps, in camps with cabins, lodges and other permanent buildings. The standards have been developed to cover all types of camps, but individual requirements will be adapted to the individual camp situation. For example, the requirements relating to permanent buildings will apply only to those camps which have permanent buildings.

II. DEFINITIONS - OBJECTIVES

A. Definitions

For the purposes of these standards, an established camp for children is defined as an organized facility and program operated for five days or more during the summer months and/or other vacation periods, but not continuously the year-round, with the primary purpose of providing for children an outdoor group living experience with social, educational, and recreational elements. This includes only those camps accepting normal children in the absence of their parents. Ordinarily, camping experience is designed for children of school age who are at the stage of development where a group living experience can be used to best advantage. It is not designed for pre-school children whose developmental needs are such that they are not ready for a 24-hour group program.

Camps with specialized programs for children with health problems or physical handicaps may be subject to license by the State Department of Public Health and are not, therefore, licensed by the State Department of Social Welfare.

B. Objectives

The American Camping Association 1950 Camp Standards state:

"Camping should be an out-of-doors experience where emphasis is placed on the enjoyment of simple living and where the campers have an opportunity to take considerable responsibility for the basic problems of their day-by-day life. Camping includes at least five elements--out-of-doors, recreation, group living, education, and social adjustment; for camping is a recreational experience in the out-of-doors which provides special opportunity for education and for social adjustment through group living."

The ultimate goal of the State Department of Social Welfare, and of these standards, is to make it possible for every child attending a camp to have this type of experience.

- c. Analysis and improvement of camp program and operation.
- d. Over-all supervision of admission and discharge of campers and of the supervision and care of campers.
- e. Over-all staff training.

Where the camp is operated by a non-profit organization, the director will also have responsibility for:

- a. Attendance at all meetings of the board or camp committee concerning the camp, reporting on the camp program and operation, and interpreting modern theory and practice to the board.
- b. Interpretation of the camp's program to the community and coordination of the camp's program and services with the over-all group work, recreation and child welfare programs of the community.

2. Substitute for the Director

There must be provision for an assistant director or designation of another suitably qualified employee to be in charge of the camp during the director's time off or other absence from camp. At no time should the camp be without a responsible authorized adult in charge.

3. Living-group Counselors

There must be an adequate number of qualified counselors to provide daily supervision of the campers. Living-group counselors should be mature, emotionally secure persons, at least 19 years of age, with two years of college or equivalent experience. Successful experience in work with groups of children and in camping is highly desirable, but a genuine interest in camping, a sincere liking for children, and an appreciation of individual differences in children and in their rates of growth and development are essential. Special skills which will contribute to the program activities are desirable in group supervisors. Living-group supervisors should have responsibility for no more than eight children, eight years of age or older, and for no more than six children under eight years of age.

4. Junior Counselors (Program Counselors)

Counselors who are over 16 years of age but under 19, and who meet the general qualifications of emotional maturity and interest in children and in camping, and with special skills or experience may be employed as assistants, junior counselors, or program counselors, in whatever capacities their skills equip them for, provided that they work under supervision, and are not given full responsibility for living-group supervision.

5. Kitchen and Maintenance Staff

Cooks, kitchen assistants, and general maintenance workers must be employed in sufficient numbers to provide adequate food service and

- a. Establishment of general policies, programs, and services of the camp.
- b. Interpretation to the community.
- c. Exercising or establishment of trusteeship for property and investments.
- d. Approval of the budget and securing adequate funds.
- e. Appointment of a qualified director and delegation of responsibility for administration to the director.

B. Personnel

There must be sufficient well-qualified staff for all camp functions, including care and supervision of children, program activities, food preparation and service, housekeeping, maintenance of buildings and grounds and business administration. Participation of campers in housekeeping, maintenance, and food service activities must be on a purposeful and realistic basis in terms of their needs, abilities and interests, not as a substitute for adequate employed staff.

All employees shall be qualified by age, health, education, training, and experience for the positions they are to fill and must have, in addition, qualities of character and temperament suitable for work with children. All members of the staff, including program staff, cooks and maintenance workers, as well as living group counselors should have a genuine liking for children and an appreciation of their individual differences.

1. Director

There must be a director responsible for the administration of the camp. The director should be a mature, capable person with administrative ability and qualities of leadership. A background of professional training in group work or recreation and experience in camping and camp management are desirable.

It is recommended that the director:

- a. Be at least 25 years of age.
- b. Be a graduate of college or university or have the equivalent in training and experience.
- c. Have at least two years' staff experience in an organized camp.
- d. Have experience in administration and group work or education.

The director should have responsibility and authority for:

- a. Daily administration of the camp.
- b. Selection, supervision and dismissal of all employees.

C. Personnel Practices

1. Salaries

Salaries should be adequate to attract qualified staff and to encourage their return in subsequent seasons. While volunteer, unpaid staff are successfully used in some counselor and junior counselor positions, it is recommended that key staff members be paid salaries commensurate with their duties and responsibilities.

2. Hours

Every effort should be made to keep the hours of work at a reasonable level and to limit responsibilities of all staff so that they can give their best when they are working. Counselors with direct responsibility for living-groups should have at least two free hours during the day and at least one full day off a week. The California Wages and Hours Law for women and minors must be observed when applicable.

3. Written Agreements

All staff members should receive a letter or written contract stating specifically the conditions of their employment and outlining clearly their duties and responsibilities and naming the person to whom they are responsible.

4. Written Personnel Policies

Personnel policies covering salaries, hours, job responsibilities, time off, sick leave, etc., should be in writing and available to all staff.

5. Insurance

Workmen's compensation insurance must be carried.

6. Staff Health

The camp must determine that all members of the staff are in good physical and mental health. Each staff member shall be required to provide prior to employment, an adequate health history, and a physician's report of a recent physical examination, which shall include a chest x-ray.

The camp should provide for health supervision of all staff, with exclusion from work of any person who is ill or who presents symptoms of communicable disease.

7. Staff Quarters

Some private space should be provided where staff members can get away from the campers during rest periods and time off. Counselors who do not have living-group responsibilities should have separate living quarters and living-group counselors should have as much privacy as is possible.

to keep the buildings, equipment, and grounds in a safe and sanitary condition.

6. Relief Staff

Sufficient staff must be employed to allow regular time off for all employees.

7. Medical Staff

There must be a physician licensed to practice medicine and surgery in California on call and readily available for emergencies.

A registered nurse, preferably a public health nurse, should be on the staff. There must be at least one person qualified to administer first aid in camp at all times. This person should have a current American Red Cross First Aid Certificate, or an equivalent.

8. Waterfront Staff

The person in charge of waterfront activities must be a mature, competent adult and must have a current Red Cross Water Safety Instructor's Certificate or its equivalent. There must be an adequate number of guards and instructors in attendance for all water activities. Guards and instructors must meet qualifications for Red Cross Senior Life Saving Certificate or its equivalent. YMCA and Boy Scouts of America certificates are acceptable.

9. Other Program Staff

There should be a sufficient number of persons on the staff with special skills in different fields to provide a varied and well-rounded program. (Handcrafts, horsemanship, archery, music, dramatics, etc.)

It is considered desirable for living-group counselors to participate with their groups in program activities and to give leadership in those program activities in which they have special skills. Special program counselors are also valuable in enriching the camp program. Program counselors should meet the general qualifications for all staff, in addition to their qualifications for leading program activities.

10. Other Specialized Staff

Every camp should have one person on the staff with special knowledge of child growth and development, who is equipped to help the staff with individual guidance of campers and to give special help to the children with problems.

The camp which is set up to serve children with emotional disturbances or behavior difficulties must have sufficient well-qualified professional staff to meet the needs of the children served. All such professional staff must be qualified by training and experience in accordance with the standards of their professions.

5. Insurance policies

F. Compliance with Local, State and Federal Laws and Regulations

The State Department of Social Welfare does not assume responsibility for interpretation or enforcement of the laws and regulations of other state departments, nor for local or federal regulations, except insofar as they are a part of these standards (See IV, A, 2 and IV, A, 3 below). It is the responsibility of the camp to comply with all applicable laws and regulations.

IV. CAMP SITE AND BUILDINGS

A. General

1. Location and Accessibility

The camp site must be accessible and easy to reach in emergencies. It must be located within a reasonable distance of its sources of supplies and medical treatment facilities. The camp must be able to arrange for speedy removal of individual children when necessary because of emergency, such as illness or injury. Telephone or other communication service must be maintained.

2. Size of Camp Site

The camp site should be large enough to allow placement of buildings and location of recreational areas without crowding. There should be natural areas available, either as part of the camp or on public land adjacent to the camp, and large enough for camp program activities, such as hiking, outpost camping, nature study, woodcraft, etc.

3. Transportation

Campers should be transported to and from camp in regular passenger vehicles. All cars, buses, and trucks shall be operated by qualified, properly licensed drivers. Adequate insurance covering the passengers as well as public liability and property damage must be carried. The vehicles must be kept in good operating condition, and special attention should be given to brakes. A counselor or other adult supervisor in addition to the driver should ride with the campers.

The use of commercial chartered buses or school buses, with the regular drivers, is recommended.

Where trucks are used the following additional precautions must be taken: (1) Campers should ride sitting down. (2) If seats are used they should be bolted to the floor of the truck. (3) Campers must not be permitted to sit at the rear of the truck with legs dangling over. (4) Campers must not be permitted to put their arms, legs or heads over the side, or outside the body of the truck. (5) There must be a counselor riding in the same compartment with the campers to provide adequate supervision. (6) No more than one person in addition to the driver should occupy the cab of a truck.

8. Staff Training and Development

A well-rounded program of staff development and training, including pre-camp training, in-service training, individual supervision, staff meetings and between seasons programs is desirable.

D. Finances

Sufficient funds must be available at all times to insure adequate care of children in accordance with the type of program and service planned and the standards of the State Department of Social Welfare.

Liability insurance is recommended.

E. Records

The camp should maintain the following minimum records and should have, in addition, any other records necessary for efficient administration. The items underlined are mandatory.

1. Financial records, showing income and expenses and general financial status.
2. All permits and licenses required by local, state and federal authorities.
3. Individual records on campers including:
 - a. Written consent of parents for camper's attendance and participation in activities.
 - b. Written consent of parents or guardian for emergency medical care.
 - c. Report of health history and/or pre-camp medical examination and record of any treatment given in camp.
 - d. Identifying information (including full name, age, address, name and address of parent or guardian, telephone number of parent or guardian to be used to reach them in emergencies, mother's maiden name) and whatever individual record material is needed, as determined by the camp program.
4. Personnel Records
 - a. Written personnel policies
 - b. Individual staff records, including
 - (1) application
 - (2) references
 - (3) medical examination report
 - (4) employment agreement

Proper precautions appropriate to the particular problems of the individual camp must be taken to insure the safety of children in swimming, boating, horseback riding, and other potentially dangerous activities.

Practices and equipment for waterfront and boating should meet the standards of the American Red Cross or their equivalent.

At least two adults should accompany any group of campers on outpost camping or other trips away from camp. A qualified first aid person should also be with any outpost camping group. Special attention should be given to insuring safe drinking water for all out-camp trips.

There must be adequate housing for the minimum camp functions consistent with the weather during the camp season.

Any buildings used for housing of campers, kitchen and dining, general recreation, infirmary, administration, must be well-constructed, properly ventilated and lighted, easily cleaned.

7. Heating and Lighting Equipment

There must be provision for adequate light and heat in the central administrative unit and infirmary, and for portable flashlights, lanterns, etc., when necessary. Unless the camp is used the year-round or the summer weather is not dependable, heating the camper's cabins or tents is not necessary. Any method of heating must meet with the approval of fire safety officials.

B. Children's Sleeping Arrangements

Camper living groups should be small, no more than eight children to a group. Living groups should be sufficiently separate so that each group can develop a group feeling. Where cabins are used for sleeping, they must have at least forty square feet of floor space per camper and have adequate natural light and ventilation. Where tents are used for sleeping, forty square feet of floor space per camper is desirable, but not mandatory. In no case shall there be overcrowding in sleeping quarters.

Permanent buildings (those intended for year-round occupancy) for the housing of campers should have 500 cubic feet of air space per occupant, eight foot ceilings, adequate light and ventilation.

Except in short term primitive camps where bedrolls or sleeping bags are used (see below), each child must have his own bed and bedding, which shall be adequate and comfortable and which must be kept in a sanitary condition. It may be necessary to provide rubber sheeting for bed-wetters. Where campers are required to provide their own bedding, the camp should maintain a small supply for emergencies and to supplement insufficient bedding. Primitive camping, other than occasional overnight hikes, (sleeping on the ground, campfire cooking) will be approved only for children who are mature enough physically and mentally to benefit by this experience (ordinarily 10 years of age or over) and only for short periods (not over two weeks). Longer periods of primitive camping may be approved for older (over 14 years) experienced campers, who are specially prepared for this type of camping, and who are under the supervision of fully qualified leaders.

4. Sanitation

The camp building and grounds must be maintained in a clean and sanitary condition throughout the camp season.

Approval by public health authorities* of the following is required:

- a. Water supplies (for drinking, washing and swimming) must be adequate in quantity and of satisfactory degrees of purity.
- b. Sewage and garbage disposal.
- c. Lavatory, bath, and toilet facilities.
- d. Preparation and serving, refrigeration, and storage of foods.
- e. Milk supply.
- f. Dishwashing methods.
- g. Control of mosquitoes and other pests.

Laundry - Adequate laundry facilities must be provided. There must be some provision for emergency washing even if all laundry is routinely done elsewhere.

5. Fire Safety

The camp must be free of fire hazards at all times during the camp season. There must be adequate provision for fighting fire within the camp and for evacuation of the camp in the event of forest fires. Two separate routes of access and exit should be maintained. Approval of the camp site, buildings and fire prevention and protection measures by fire safety officials is required. Tents housing more than two persons should be flameproof. Those not treated by the manufacturer shall be flameproofed according to the requirements of the State Fire Marshal. Special care should be taken in the storage of gasoline, paints, and other inflammables. (See "Guides to Fire Safety in Camps for Children in California" for further detail.)

6. General Safety Measures

The camp area shall be kept reasonably free from poisonous snakes, dangerous animals, rodents, poison oak and other similar plants, and adequate provision must be made for control of flies, mosquitoes and other insect pests.

Firearms, sharp tools, and other equipment requiring skill for safe handling shall be used by campers only with proper adult supervision and safely stored when not in use. Standards of the National Rifle Association and of the American Archery Association should be followed for these activities.

*Camps must comply with local sanitation ordinances. The requirements of the State Department of Social Welfare are not intended to replace local ordinances.

Where cabins or tents are not provided regularly, there must be emergency shelter available for use in bad weather.

Storage space for clothing and personal belongings must be provided in or near sleeping quarters.

C. Bath, Lavatory, and Toilet Facilities

Adequate bath and toilet facilities must be provided close to children's sleeping quarters. Toilet and handwashing facilities must be provided in the ratio of one unit to each 10-15 persons (including campers and staff). Showers should be provided in the same ratio (1-10 to 15). If there are a smaller number of showers, an acceptable plan must be made so that all campers can use them. Hot water must be available in at least one washroom. There must be one toilet and basin near general recreation facilities. If both boys and girls are in camp at the same time, separate toilet and bath units must be provided.

A toilet and basin with hot running water for the exclusive use of kitchen staff must be available near the kitchen, but this room shall not open into it directly.

Each child must have his own individual toilet articles (comb, brush, toothbrush, towels, etc.) and there must be suitable storage space for them.

D. Infirmary and Isolation

An infirmary, which may be a separate tent or cabin or a unit in a larger building, must be maintained. It must include isolation facilities. Toilet and handwashing facilities must be available and conveniently located, and should not be used by well children. Ordinarily the nurse's quarters and a first aid station are part of the infirmary.

E. Recreation Facilities

The camp must provide for active and quiet recreation, utilizing the natural features of the site in planning the program and in location of activities. As much as possible, depending upon the specific aims and objectives of the camp, the program should be out-of-doors and should emphasize the special advantages of camping, minimizing those activities regularly provided in school and town. There should be level space for active games and unimproved natural grounds for nature study, hiking, exploring, etc. There will need to be provision for activities such as crafts, for small group activities and for general all-camp activities.

V. HEALTH

A. Pre-camp Health Appraisal

It is the camp's responsibility to determine that each child accepted is in good general health, able to participate in camp activities and free from defects or illness which might make his participation in camp activities inadvisable. The camp should also have a medical history which will assist in planning and supervision of activities and in caring for the camper if he becomes ill.

The pre-camp health appraisal shall include:

1. An adequate health history on all campers, to be obtained from his parents, covering (a) past illnesses, (b) immunization history, (c) special problems, such as allergies, or limitations in activities which will require attention in the camp, (d) possible recent exposures to communicable disease, (e) date of last physical examination, and (f) any current medical care, treatment or medications.
2. A review of the health history, before acceptance of the camper's final registration, by the camp physician, nurse, or other qualified person, with referral for examination and immunizations as indicated.
3. Physician's examination of every camper whose health history indicates the presence of medical problems. It is advisable for all campers who have not been under regular medical supervision, or who have not had a complete health examination within the last year to have an examination before camp.

Inspection Prior to Departure of upon Arrival

Every camper should be examined prior to departure or upon arrival to camp for signs of communicable disease. Parents should be instructed to observe the child for signs of illness or skin eruptions during the weeks immediately preceding camp so that minor ailments, such as skin disease, can be cleared up before leaving for camp.

B. Immunizations

Immunization against smallpox and diphtheria should be required for all children who are not adequately protected by previous immunization. Anti-tetanus should be available for use when needed. Camper medical reports should indicate whether tetanus immunization have been given previously.

C. Emergency Medical Care and Hospitalization

The services of a physician licensed to practice medicine and surgery in California must be available at all time for emergency treatment of illness and accident. The physician need not be a resident but should be on

call and able to reach the camp within a short period of time. Arrangements for emergency hospitalization of children must be made. A plan should be made, with the guidance of the camp's physician, for the handling of any outbreak of communicable disease.

Every effort must be made to notify the parent or guardian in the event emergency medical or hospital care is needed, to secure specific written permission for the treatment. It is advisable to obtain a blanket authorization to provide emergency medical care from parents or guardian of each camper, in case they cannot be reached in time of emergency.

D. General Health Supervision

The resident physician or the registered nurse, under the direction of a licensed physician, should be responsible for general health supervision of campers and staff, for first aid treatment of injuries and for care of minor, temporary illness. Living group counselors should have guidance in recognizing signs of illness and should have responsibility for observing and reporting to the camp nurse on any child who shows signs of illness. It is advisable for each camper to be given a physical examination by the camp physician or nurse just prior to return home.

VI. NUTRITION AND CLOTHING

A. Nutrition

An adequate nutritious diet designed to meet the needs of the children according to age, sex, and physical activity shall be provided. The meal plan shall include adequate amounts of the following basic seven foods: (1) meat, poultry, or fish; (2) eggs; (3) fruits; (4) vegetables; (5) cereals and breads; (6) milk and milk products; (7) butter or fortified margarine; and should add sweets to round out the meals.

Menus should be planned or approved by a dietician. Additional material on nutrition and recommended meal plans is available through the State Department of Social Welfare.

Only pasteurized milk shall be served.

B. Clothing

The camp should provide a list of necessary clothing and should make every effort to see that each child comes to camp with an adequate supply of required clothing properly marked with the child's name.

Certified as a Regulation (or
as Regulations) of the

Dept. of Social Welfare
(Name of State Agency)

C. Schouland
(Signature)

Director
(Title)

3-31-52
(Date)

AREA OFFICES

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948 MARKET STREET
2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

March 31, 1953

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
14

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:

616 K Street
Sacramento 14

Dear Mr. Jordan:

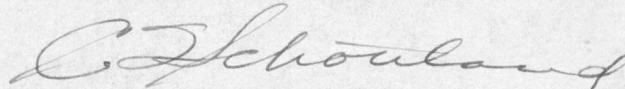
Attached are three copies of regulations which will be issued by the State Department of Social Welfare with Aid to Needy Children Manual Letter No. 23.

These regulations were adopted by the State Social Welfare Board on March 27, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103, 103.5, and 114(b), and are being filed in accordance with Section 11380 of the Government Code.

These regulations are effective May 1, 1953, and are contained in the following sections:

C-225
C-521

Very sincerely yours,



Charles I. Schottland
Director

FILED

in the Office of the Secretary of State
of the State of California

Attachments

MAR 30 1953

At 3 o'clock M.

FRANK M. JORDAN, Secretary of State

By

Assistant Secretary of State

The word "parent" means either the mother or the father, natural or adoptive, whether married or unmarried.

Deprivation of parental support or care is based on the status of the natural parents of the child, including the child who has been relinquished for adoption, until adoption is consummated or the adoption agency finds the relinquished child is unplaceable for adoption.

Inasmuch as the legal adoption of a child is designed to effect a complete substitution for the natural parents, eligibility of an adopted child shall be based upon the death, incapacity, or absence of the adoptive parents and not on that of the natural parents.

The presence of a stepparent in the home does not disqualify a child who has been deprived of parental support or care, but it may be a factor in establishing need. The stepparent has no legal responsibility for support of stepchildren. However, in a family where there are the natural father, the stepmother, and a child or children living together, there is not eligibility for ANC because of the death or absence of the natural mother. (See Sec. C-356, Responsibility of Relatives)

The word "child" includes the unborn child if pregnancy has been verified by a physicians's oral or written statement.

The word "child" means an unmarried minor under the age of 18 years.

(Continued)

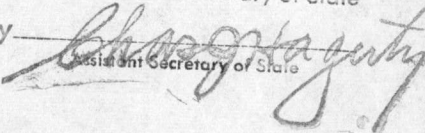
FILED

in the Office of the Secretary of State
of the State of California

MAR 30 1953

At _____ o'clock _____ M.

FRANK M. JORDAN, Secretary of State

By  Assistant Secretary of State

A child may be deprived of either support or care. The word "support" means financial provision for meeting the needs of the child. The word "care" means the natural affection, supervision, physical care, and guidance necessary to the health and normal growth of the child as a participating member of his community.

The requirement of deprivation of parental support or care shall be considered as an eligibility factor separate from need. Both need and deprivation of parental support or care shall be determined. The parent's death, incapacity, or absence from the home is presumed to deprive a child of parental support or care. A child could be deprived of parental support or care and, because of income, not be in need, or he could be needy but not deprived of parental support or care in accordance with this definition.

Example 1: A child whose parents are deceased but who has income from property sufficient to maintain him in a suitable foster home or with a relative is deprived of both parental support and care, but might not be in need for purposes of ANC. Should the income cease, however, and need be established, the child would qualify for ANC from the standpoint of deprivation of parental support or care even though there was no immediate causal connection between the current need and the death of the parent.

Example 2: A child who is a member of a normal family group and whose parents are unable to meet his needs, due to an emergency such as disaster or widespread unemployment, would not be deprived of parental support or care in accordance with this definition. At no time is the ANC program intended to minimize the parent's responsibility for attending to the needs of his family.

The elapsed period or expected duration of deprivation has no bearing on the determination of eligibility except for continued absence of a parent from the home. (See Sec. C-240, Definition of Deprivation of Parental Support or Care by Reason of Continued Absence from the Home.)

When the deprivation no longer exists, the county shall help the members of the family plan to meet their needs before assistance is discontinued. However, financial assistance shall not be continued for more than three monthly payments during the period of adjustment after the deprivation ceases. (W&IC 1560)

(For more complete statement, see Financial Procedure sections.)

Assistance payments shall be made by warrant of the county, except that in mismanagement cases assistance may be paid totally or partially in kind.

County warrants issued in payment of assistance shall be redeemable at par.

Payment is effected by deposit of the warrant, properly stamped and addressed in the U. S. Mail, or by direct delivery to the payee by an authorized representative of the county.

Assistance payments shall be made monthly in advance, except certain payments in mismanagement cases and payments for children who are living in boarding homes or institutions. Payments for children living in boarding homes or institutions may be made to the boarding home or institution either in advance or subsequent to the furnishing of care and support.

One warrant may be issued to each boarding home or institution covering all children receiving ANC in the home to whom board and care is given during the month, or a separate warrant may be issued for each child or family group.

Advance payment means delivery of the warrant, on or as near as possible to, but not before, the first day of the month.

If the payee dies, the warrant issued to the deceased payee shall be canceled and a duplicate warrant shall be issued to the new payee.

If a child is living with a parent or a relative, payment shall be made to the parent, the legal guardian of the parent, the relative, the legal guardian of the relative, the child, or, in an emergency, to the person acting temporarily for the parent or the relative.

(Continued)

If the child is living in a foster home or institution, payment may be made to any of the following:

1. The foster home caring for the child
2. The institution caring for the child
3. The parent or other relative responsible for the child
4. The probation officer if the child is a ward of the juvenile court
5. A private child-placing agency licensed under W&IC 1620(b) if the child is under the care of that agency
6. The foster home, but mailed in care of the area office of the California Youth Authority if the child is a parolee from the California Youth Authority for whom the parole officer signed the application.

(See Secs. C-420 through C-440 for Federal Participation)

Any warrant issued in payment of assistance is void if not presented to the county treasurer for payment within six months after its date of issuance.

If a warrant is lost or destroyed before it is paid by the county treasurer, the amount due may be recovered by the payee by filing with the auditor, prior to the time the warrant becomes void, an affidavit setting forth the fact of the loss or destruction of the warrant, the number, date, amount, name of the payee, and all material facts relative to its loss or destruction.

A warrant shall be considered lost if it has been mailed and has not been received by the addressee within twenty days after the date of mailing.

A warrant canceled in error by the county auditor shall be re-issued in the same date, number, and amount as the original warrant. (W&IC 1556.5, 1560; FSS-Admin; Government Code 29850, 29853)

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Earl Warren
Governor

STATE HEADQUARTERS

SACRAMENTO
GILBERT 2-4711
616 K STREET
14

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

March 31, 1953

ADDRESS REPLY TO:
616 K Street
Sacramento 14

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations which will be issued by the State Department of Social Welfare with Manual Letter No. 160.

These regulations were adopted by the State Social Welfare Board on March 27, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103 and 114(b), and are being filed in accordance with Section 11380 of the Government Code.

These regulations are effective May 1, 1953, and are contained in the following sections:

073-00	073-60
073-01	075-30 (deleted)
073-20	076-15 (deleted)
073-25	

Very sincerely yours,

C. I. Schottland
Charles I. Schottland
Director

Attachments

FILED

in the Office of the Secretary of State
of the State of California

MAR 31 1953

At 3 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By *Charles I. Schottland*
Assistant Secretary of State

Certified as a Regulation (or
as Regulations) of the

Dept. of Social Welfare
(Name of State Agency)

D. J. Schouland
(Signature)

Director
(Title)

3-31-53
(Date)

MANUAL LETTER NO. 160

The attached revisions are to be entered in your copy of the Manual of Policies and Procedures and revision numbers 100 through 107 canceled on the separator for the Welfare Personnel Standards Chapter.

These revisions were adopted by the State Social Welfare Board on March 27, 1953, to be effective May 1, 1953.

Secs. 073-00, 073-20, and 073-60 have been revised to change the precedence in eligible lists, removing the priority of statewide eligible lists, and to delete the sub-dividing of lists into district lists.

Sec. 073-00 has also been revised to remove the mandatory 90-day prior county residence.

New Sec. 073-01 specifies the order of employment lists for the certification of eligibles.

Sec. 073-20 has been revised and Sec. 076-15 deleted to remove the priority on eligible lists of resigned employees who withdraw their resignations within one year.

Sec. 073-25 has been revised to delete the statements regarding precedence of eligible lists.

Sec. 075-30 is deleted since its provisions are included in Sec. 073-00 and 073-01.

FILED

In the Office of the Secretary of State
of the State of California

MAR 3 1953

At _____ o'clock _____ M.
FRANK M. JORDAN, Secretary of State

By *[Signature]*
Assistant Secretary of State

The order of employment lists for the certification of eligibles shall be:

1. County re-employment list.
2. Promotional eligible list.
3. Eligible lists resulting from open competitive examinations.

If fewer than three names of persons willing to accept appointment are on a list, then additional eligibles shall be certified from the list or lists next in order until three names are certified.

If there should exist simultaneously for a given class as a result of open competitive examinations (1) a state-wide eligible list, (2) a county eligible list, and (3) an area eligible list for the same locality, the appointing authority may select the eligible list from which he wishes to make appointment. However, the eligible list shall not be considered exhausted until all lists have been canvassed in accordance with Section 073-60, Certification of Names, and provisions of Section 073-05, Duration of Eligible Lists. (W&IC 119.5 and 119.6)

~~New Section~~

After each examination, the examining agency shall prepare an eligible list of persons who qualified. Names of such persons shall be placed on the eligible list in the order of their final ratings starting with the highest. The examining agency may combine eligible lists for a given class on the basis of the final ratings of the eligibles. If two or more eligibles have final ratings which are identical, their names shall be arranged on the eligible list in the order of their ratings on the chief essential of the examination.

(a)

Lists shall be established, wherever possible, on a state-wide basis. The examining agency shall establish as a sub-division of the state-wide lists, county eligible lists containing all names of eligibles who reside within a given county.

(a)

If an individual changes his residence from one county to another after the state-wide eligible list has been established, he may have his name placed on the county eligible list for the county of his new residence. The name of one individual shall not appear on more than one county eligible list at the same time for any one or several classifications of employment.

In order to meet local recruitment conditions, the examining agency may give area examinations. Applications for such examinations shall not be restricted by residence. However, eligibility resulting from this type of examination is limited to the geographical area within the state specified in the examination announcement for that particular examination.

(a)

The examining agency may combine area eligible lists for the same class for the same area on the basis of the final ratings of the eligibles.

If a vacancy exists in a class of position for which there is no appropriate eligible list, the examining agency may prepare an appropriate eligible list for the class from one or more existing related eligible lists. However, waiver of certification from such related lists does not affect the standing of the eligible on the original list for the class for which he was examined. (W&IC 119.5, 119.6; FSA)

(a)

~~(a) To change precedence in eligible lists, removing priority of state-wide eligible lists.~~

Names of competitors who are successful in promotional examinations for any given county as provided in these rules shall be placed on the county promotional eligible list for class for which such examination is held.

(a)

An employee who leaves employ of the county in which he has gained eligibility for promotion shall be considered as having relinquished his right to promotion, and his name shall be stricken from such promotional eligible list. (W&IC 119.5, 119.6; FSA)

(a)

(a) Policy covered in new Section 073-01.

In addition to the eligible list for any class there shall be maintained for each class, county reemployment lists, which shall contain names of (1) employees who had permanent or probationary status and who have been laid off or demoted in lieu of layoff from positions in the class in accordance with the procedure outlined in Section 076-05, Reduction of Force, and (2) the employees whose positions have been abolished during the period of an approved leave of absence. See Section 077-02, Granting Leaves of Absence.

(a)

The names shall be placed on the county reemployment list in accordance with the combined report of performance and seniority score if the county has adopted the California County Merit System Report of Performance; otherwise, the names shall be placed on the county reemployment list on a seniority basis alone.

(a)

Names which have appeared on a list for three consecutive years shall be removed from the reemployment list unless the period is extended by the SSWB. (W&IC 119.5, 119.6)

(a)

~~(a) To simplify and bring into agreement with Sections 073-00 and 073.01.~~

The examining agency shall certify to the appointing authority on Form PS-19, Certification of Eligibles, names and addresses of the three persons who stand highest on the eligible list for class to which the position belongs and who have indicated a willingness to accept conditions of employment as specified.

The number of names to be certified to the appointing authority shall be on the basis of the number of appointments to be made plus two from each of following lists: county, statewide, and area employment lists, as provided in Section 073-01, Employment Lists. All names shall be certified from each eligible list in their consecutive order.

Notwithstanding the existence of an eligible list for a given classification, the appointing authority may request certification from the eligible list for a higher classification within a given series of classifications to fill a vacancy in the lower classification.

If appointment is for a part-time position, either permanent or temporary, only the names of those eligibles who live in the vicinity of the employment need be certified.

If there is no eligible list for the class in which the vacancy occurs, an appropriate list may be used, if there is such, and in that event only the names of those persons having full qualifications required in the vacant position shall be certified. (See Section 073-00, Establishment of Eligible Lists)

If an eligible receives a probationary or permanent appointment, such appointment shall constitute, for its duration, a waiver of his right to certification from any other eligible list on which his name appears for a class of position the salary of which is either equal to or lower than that salary covered by his appointment, unless at time of such appointment he requests in writing that his name be retained for certification from such eligible list or lists. (For exception see Section 077-20, Appointment to Fill Military Leave Vacancy.)

The name of each employee whose name appears on an eligible list for a class of position with a higher salary range than the salary range of his present class of position shall be submitted by the examining agency and given consideration for the higher class of position if his name is reached. (W&IC 119.5, 119.6; FSA)

Certified as a Regulation (or as
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schottland
(Signature)

Director
(Title)

4-30-53
(Date)

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Earl Warren
Governor

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STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

April 30, 1953

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ADDRESS REPLY TO:

616 K Street
Sacramento 14

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 490 (Merit System)

These regulations were adopted by the State Social Welfare Board on April 24, 1953, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 119.5, and 119.6 and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

Charles I. Schottland
Charles I. Schottland
Director

Attachments

FILED

in the Office of the Secretary of State
of the State of California

APR 30 1953

At 10:50 o'clock A.M.

FRANK M. JORDAN, Secretary of State
By *Amos J. Gayle*
Assistant Secretary of State

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
April 29, 1953

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FILED
in the Office of the Secretary of State
of the State of California

APR 30 1953

At 10:50 o'clock A.M.

FRANK M. JORDAN, Secretary of State

By *[Signature]*

DEPARTMENT BULLETIN NO. 490 (Merit System)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DIRECTORS
COUNTY AUDITORS

(Except those in Alameda, Contra Costa, Fresno,
Los Angeles, Sacramento, San Bernardino,
San Diego, San Francisco, San Mateo, Santa Clara,
and Ventura.)

Subject: Revision of County Merit System
Compensation Plan

Upon the recommendation of the Merit System Advisory Committee at its meeting of April 24, 1953, the State Social Welfare Board has approved the following revisions in the existing compensation plan for the County Merit System to become effective not earlier than July 1, 1953, or the effective date of the county salary ordinance or any amendment thereof, whichever is applicable, for the 1953-54 budget year.

The attached new compensation plan includes the following changes:

1. Three additional steps (Steps 12, 13, and 14) have been added.
2. The pay ranges for two new classes have been added:
 - a. Chief Fiscal Supervisor
 - b. Social Worker III

The new pay ranges represent the salary schedules of all counties operating under the County Merit System with the exception of those counties which operate under an approved county-wide compensation plan.

For the procedure of modifying salary rates upon the change of pay ranges, refer to Manual Section 071-10.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Attachment

COMPENSATION PLAN OF MANUAL SECTION 071-05
AS REVISED BY STATE SOCIAL WELFARE BOARD
ON APRIL 24, 1953

CLASSIFICATIONSCHEDULE OF STEPS

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
COUNTY WELFARE DIRECTOR V	415	439	464	491	519	549	581	614	649	686	725	766	810	856
COUNTY WELFARE DIRECTOR IV	351	371	392	415	439	464	491	519	549	581	614	649	686	725
COUNTY WELFARE DIRECTOR III	297	314	332	351	371	392	415	439	464	491	519	549	581	614
COUNTY WELFARE DIRECTOR II	252	266	281	297	314	332	351	371	392	415	439	464	491	519
COUNTY WELFARE DIRECTOR I	201	213	225	238	252	266	281	297	314	332	351	371	392	415
ASSISTANT COUNTY WELFARE DIRECTOR	332	351	371	392	415	439	464	491	519	549	581	614	649	686
SOCIAL WORK SUPERVISOR II	281	297	314	332	351	371	392	415	439	464	491	519	549	581
SOCIAL WORK SUPERVISOR I	238	252	266	281	297	314	332	351	371	392	415	439	464	491
CHILD WELFARE SUPERVISOR II	281	297	314	332	351	371	392	415	439	464	491	519	549	581
CHILD WELFARE SUPERVISOR I	266	281	297	314	332	351	371	392	415	439	464	491	519	549
CHILD WELFARE SERVICES WORKER II	225	238	252	266	281	297	314	332	351	371	392	415	439	464
CHILD WELFARE SERVICES WORKER I	201	213	225	238	252	266	281	297	314	332	351	371	392	415
SOCIAL WORKER III	213	225	238	252	266	281	297	314	332	351	371	392	415	439
SOCIAL WORKER II	190	201	213	225	238	252	266	281	297	314	332	351	371	392
SOCIAL WORKER I	170	180	190	201	213	225	238	252	266	281	297	314	332	351
CHIEF FISCAL SUPERVISOR	281	297	314	332	351	371	392	415	439	464	491	519	549	581
CHIEF ACCOUNT CLERK	238	252	266	281	297	314	332	351	371	392	415	439	464	491
SENIOR ACCOUNT CLERK	190	201	213	225	238	252	266	281	297	314	332	351	371	392
ACCOUNT CLERK	161	170	180	190	201	213	225	238	252	266	281	297	314	332
SENIOR STENOGRAPHER CLERK	190	201	213	225	238	252	266	281	297	314	332	351	371	392
INTERMEDIATE STENOGRAPHER CLERK	161	170	180	190	201	213	225	238	252	266	281	297	314	332
JUNIOR STENOGRAPHER CLERK	144	152	161	170	180	190	201	213	225	238	252	266	281	297
SENIOR TYPIST CLERK	180	190	201	213	225	238	252	266	281	297	314	332	351	371
INTERMEDIATE TYPIST CLERK	161	170	180	190	201	213	225	238	252	266	281	297	314	332
JUNIOR TYPIST CLERK	144	152	161	170	180	190	201	213	225	238	252	266	281	297
CHIEF CLERK	225	238	252	266	281	297	314	332	351	371	392	415	439	464
SENIOR CLERK	180	190	201	213	225	238	252	266	281	297	314	332	351	371
INTERMEDIATE CLERK	161	170	180	190	201	213	225	238	252	266	281	297	314	332
JUNIOR CLERK	144	152	161	170	180	190	201	213	225	238	252	266	281	297
RECEPTIONIST	161	170	180	190	201	213	225	238	252	266	281	297	314	332

NOTE 1. IN THE ABOVE SCHEDULE, (12), (13), AND (14) ARE ADDED UPON RECOMMENDATION OF THE MERIT SYSTEM ADVISORY COMMITTEE ON APRIL 24, 1953, AND APPROVED BY THE STATE SOCIAL WELFARE BOARD ON APRIL 24, 1953.

NOTE 2. EFFECTIVE DATE OF COMPENSATION PLAN TO BE EITHER (A) JULY 1, 1953, OR (B) EFFECTIVE DATE OF COUNTY SALARY ORDINANCE FOR 1953-54--WHICHEVER IS APPLICABLE.